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Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts

Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts

Report of the Secretary-General

Summary

The present report is submitted pursuant to paragraph 13 of General Assembly resolution 67/93. Eight Member States and the International Committee of the Red Cross transmitted to the Secretary-General the information requested by the Assembly in that resolution. A list of States parties to the Additional Protocols of 1977 is contained in the annex.

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I. Introduction

1. In paragraph 13 of resolution 67/93, the General Assembly requested the Secretary-General to submit to it at its sixty-ninth session a report on the status of the Additional Protocols relating to the protection of victims of armed conflicts and on measures taken to strengthen the existing body of international humanitarian law, inter alia, with respect to its dissemination and full implementation at the national level, based on information received from Member States and the International Committee of the Red Cross (ICRC).

2. Pursuant to that request, the Secretary-General, by notes verbales dated 4 January 2013 and 5 March 2014 and letters dated 21 December 2012 and 4 March 2014, invited Member States and ICRC to transmit to him by 1 June 2014 the information requested for inclusion in the present report.

3. Replies have been received from the following States: Austria, Denmark, El Salvador, Lebanon, Lithuania, Poland, Qatar and Switzerland, as well as from ICRC. Summaries of the replies are contained in sections II and III of the present report. The full texts of the replies are available on the website of the Sixth Committee of the General Assembly (www.un.org/ga/sixth).

4. The list of all States that are parties to the Additional Protocols[1] of 1977 to the Geneva Conventions of 1949[2] as at 2 June 2014 is contained in the annex to the present report.

II. Information received from Member States

Austria

[Original: English]
[16 May 2014]

On 21 November 2012, the Austrian Federal Ministry for European and International Affairs, together with the Austrian national committee, organized a seminar on the theme of "Nuclear Weapons — The Sword of Damocles: The Humanitarian Dimension of Nuclear Disarmament".

On 6 December 2013, the Austrian Federal Ministry for European and International Affairs, together with the national committee, organized a seminar on the legal challenges of the use of unmanned aerial vehicles (drones) for civilian and military purposes.

In January 2014, the possibility of the issuing of identification cards for journalists was introduced in Austrian legislation in implementation of article 79, paragraph 3, of Additional Protocol I. Austria actively participates in the initiative of Switzerland and the International Committee of the Red Cross on the strengthening of international humanitarian law implementation mechanisms based on resolution 1 of the International Red Cross and Red Crescent Conference in 2011.

[1] United Nations, *Treaty Series*, vol. 1125, Nos. 17512 and 17513.
[2] Ibid., vol. 75, Nos. 970-973.

On 21 and 22 February 2014, in Vienna, Austria co-hosted with Norway a regional workshop for Europe on reclaiming the protection of civilians under international humanitarian law.

At the 2012 session of the Preparatory Committee for the 2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Austria co-authored a joint statement on the humanitarian consequences of nuclear weapons.

Denmark

[Original: English]
[30 May 2014]

Denmark initiated the Copenhagen Process on the Handling of Detainees in International Military Operations on 11 October 2007 to develop principles to guide the implementation of existing obligations. The process was concluded on 19 October 2012 when representatives of 24 countries welcomed the Copenhagen Process Principles and Guidelines.

Denmark has initiated work on a military manual on the laws of armed conflicts applicable to Danish military forces participating in international operations. The purpose is to establish clear overall guidelines on how international humanitarian law and human rights should be implemented in the planning and execution of military operations. Symposiums will be held with the participation of the Danish Red Cross, the Danish Institute against Torture and the Danish Institute for Human Rights to qualify the work. The military manual is expected to be completed in 2016.

Denmark ratified the Convention on Cluster Munitions in 2010. Denmark's deadline for destroying national stockpiles is not until 2018 but, having decided to advance the destruction process, Denmark announced the disposal of the last Danish cluster bombs in March 2014.

From 2013 to 2015, Denmark is providing international humanitarian organizations with approximately €1.3 million to promote the universalization and implementation of the Convention on Cluster Munitions and the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction. Denmark has contributed €4 million to the work of the United Nations Mine Action Service in 2013 and 2014.

Denmark ratified the Arms Trade Treaty on 2 April 2014 and has pledged $1.1 million for the period 2013-2016 to the United Nations Trust Facility Supporting Cooperation on Arms Regulation to support the preparation for ratification and future implementation of the Arms Trade Treaty and, at the same time, to support the implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects.

El Salvador

[Original: Spanish]
[29 May 2014]

The activities of the State of El Salvador — conducted essentially through the Inter-Agency Committee on International Humanitarian Law of El Salvador — have focused on strengthening institutions and supporting the professionalization of the Ministry of Defence in matters relating to international humanitarian law, as well as its dissemination in different sectors of society.

In 2012, as part of an annual capacity-building programme, it organized 12 training days, attended by officers from the armed forces, students, legal professionals, human rights defenders, community leaders, school principals and the national civil police, among other participants. As a result, a total of 355 persons received training in international humanitarian law.

Furthermore, with the support of the United Nations Educational, Scientific and Cultural Organization (UNESCO), the project for phase III of dissemination, awareness-raising and identification of Salvadorian cultural property bearing the protective emblem of the 1954 Convention for the Protection of Cultural Property in the Event of Armed Conflict was set in motion.

At present, El Salvador has 53 cultural properties protected by the blue shield in accordance with the 1954 Convention and article 16 of the 1977 Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the protection of victims of non-international armed conflicts (Protocol II).

In 2013, the State of El Salvador provided some 34 training courses, including those relating to the project for phase III of identification. In that year, it was supported by the Ministry of Defence in providing large-scale training to military officers and non-commissioned officers on the topic of international humanitarian law, as well as in providing training for civil society. All in all, a total of 600 persons were trained through the various educational modules, which were similar in content to those offered in 2012.

With regard to compliance with the 2005 Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the adoption of an additional distinctive emblem (Protocol III), the Ministry of Defence is ensuring that the protective emblems are disseminated and studied in its military educational institutions.

At present, the army, air force and navy have units that perform medical functions, which are therefore the only units authorized to use the Red Cross protective emblem, including on vehicles, aircraft and ambulance ships. Such use is overseen by the military medical command.

A total of 12 training courses on the 1949 Geneva Conventions and their Additional Protocols are scheduled to be held in 2014 and will focus on secondary and tertiary educational establishments, as well as on continued support for professionalization of the armed forces. In the course of the year, the State of El Salvador plans to draw up a blueprint for safeguarding cultural property in the event of armed conflict and to finalize a draft law for reform of its penal code.

Lebanon

[Original: Arabic]
[9 May 2014]

The Ministry of Defence is committed to implementing all international conventions and instruments in its areas of competence that have been ratified by Lebanon. Lebanon ratified the Geneva Conventions of 1949 on 10 April 1951 and the Protocols Additional to the Geneva Conventions on 23 July 1997.

International humanitarian law is a basic component of the curricula of military schools and academies at all levels. Annual courses on the topic have been organized for officers, and conferences and seminars have been held for various military units.

On 2 December 2009, the Ministry of Defence established an Office of International Humanitarian Law and Human Rights. Its functions include examining all treaties and conventions signed by Lebanon concerning international humanitarian law and international human rights law and incorporating them into military law.

The Ministry maintains close contacts with ICRC, in particular by inviting it to give the opening statements at conferences and workshops on international humanitarian law and accepting invitations to attend all ICRC workshops or speak at its events.

The Ministry, through the army command, has circulated a poster of protective signs that are used in time of war and has organized training courses to explain them to all army units.

The Ministry gives lectures at secondary schools on the ethics of war and victims of armed conflict with a view to increasing awareness of international humanitarian law throughout the country.

The Ministry, in coordination with the army command, has also launched a course on international humanitarian law for university students in Lebanon and is in regular contact with college deans, university chancellors and students in order to foster respect for international humanitarian law and prepare new courses.

Lithuania

[Original: English]
[30 May 2014]

In accordance with article 138 of the Constitution, international treaties ratified by the Seimas (parliament) of Lithuania are constituent parts of the national legislation. Moreover, the law on treaties establishes the precedence of ratified international treaties over national laws in case of discrepancy. These provisions ensure the most favourable conditions for the implementation of international humanitarian law.

Lithuania is a State party to all major instruments of international humanitarian law, including the 1949 Geneva Conventions and the 1977 and 2005 Protocols Additional to the Conventions (ratified in 2000 and 2007, respectively).

Lithuania declared that it recognizes ipso facto and without special agreement the competence of the International Humanitarian Fact-Finding Commission according to article 90 of Additional Protocol I to the Geneva Conventions.

In 2011, at the meeting of the High Contracting Parties, the Lithuanian representative, Justinas Žilinskas, was elected member of the Commission.

The Ministry of National Defence is responsible for the coordination of the implementation of international humanitarian law.

The Commission on the Implementation of International Humanitarian Law was established in 2001 as an advisory body to the Minister of National Defence. It is an inter-ministerial coordinating body composed of representatives of the National Defence System, Ministry of Justice, Ministry of Foreign Affairs, Ministry of Health, Ministry of Culture, Ministry of Education and Science, Ministry of the Interior, European Law Department under the Ministry of Justice, Lithuanian Red Cross Society, Lithuanian National UNESCO Commission and leading universities.

Among the objectives of the Commission are to carry out an analysis of the situation regarding the implementation of international humanitarian law: joining the agreements, implementation of the provisions of these agreements, dissemination of international humanitarian law, teaching and investigation of violations and their prevention.

Lithuania recognizes and respects the basic rules enshrined in article 35 of Additional Protocol I and the general principle that, in any armed conflict, the right of the parties to the conflict to choose methods or means of warfare is not unlimited.

Lithuania is a State party to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effect as well as to all its Protocols and amended article 1. From 2006 to 2013, it chaired several meetings of the Convention and served as a coordinator for different programmes. Seeking to implement provisions of Protocol V to the Convention, a programme for the clearance and prevention of explosive remnants of war was approved by the Government in 2007 (and amended in 2013). Until the end of 2013, the Lithuanian armed forces explosive ordnance disposal platoon checked and cleaned over 252 ha of polluted territories and found over 11,300 pieces of different explosive ordnance.

Lithuania is a State party to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction. From 2005 to 2011, it served several times as a co-rapporteur and as a Co-Chair of the Standing Committee on Stockpile Destruction. Lithuania destroyed its anti-personnel mines in 2004.

The Republic of Lithuania signed the Convention on Cluster Munitions on 3 December 2008. The Convention entered into force for Lithuania on 1 September 2011.

In 2007, the Parliament of Lithuania ratified Additional Protocol III to the Geneva Conventions. Subsequently, all necessary amendments of related national legislation were adopted in order to implement that Protocol.

In 2011, the criminal code of the Republic was amended in order to delimit and distinguish between protected emblems relating to international humanitarian

law and other universally recognized emblems and names that may be of a commercial or industrial purpose.

In addition, practical measures to protect the emblems are taken by the Lithuanian Red Cross Society. During 2012-2013, four violators were issued warnings in relation to the illegal use of the Red Cross emblem. All these cases were solved by peaceful agreements without taking legal action. The Lithuanian Red Cross Society also continues to spread information about the functions and proper use of the distinctive signs.

Lithuania is a State party to the 1954 Convention for the Protection of Cultural Property in the Event of Armed Conflict and its Protocols. From 2005 till 2011, Lithuania was a member of the Committee for the Protection of Cultural Property in the Event of Armed Conflict. On the initiative of the Commission on the Implementation of International Humanitarian Law, a position of chief specialist for the protection of cultural heritage was created in 2004 in the Armed Forces of Lithuania.

In December 2011, enhanced protection was granted to the Kernavė archaeological site in Lithuania.

Seeking to implement article 82 of Protocol I to the Geneva Conventions, the national concept of military legal advisers was approved in 2006 by order of the Minister of National Defence. It determines the status of legal advisers in the armed forces and functions, liability and rotations in military operations and training issues.

The Commission collects information on education and advises on the inclusion of subjects related to international humanitarian law in educational programmes. The subject is included in education programmes of all levels of military personnel, as well as in the educational curricula of police personnel, secondary schools, etc.

Lithuania takes part in the process of standardization of training on the law of armed conflict for military personnel of the North Atlantic Treaty Organization (NATO) member countries and it ratified and implemented the relevant agreement in 2013. Lithuania also sends its military and civil personnel to international courses on international humanitarian law.

International humanitarian law is provided as both compulsory and optional courses in law faculties of the leading universities as well as in the Institute of International Relations and Political Science.

The Commission has its website page within the website of the Ministry of National Defence (www.kam.lt) where it publishes information about the Commission's activities and also texts (in Lithuanian) of all the international humanitarian law treaties to which Lithuania is a party. Moreover, various issues concerning international cooperation in this field are presented and described.

In 2010, a handbook for commanders on principles and rules of international humanitarian law was published.

The Lithuanian Red Cross Society is actively involved in the dissemination of international humanitarian law among the local population. During 2012 and 2013, over 650 lectures and seminars on various issues related to international

humanitarian law as well as principles and values of the Red Cross were organized in universities, colleges, schools, hospitals and other institutions. To mark the 150th anniversary of the Red Cross Movement, the Society introduced to the public a book about Lithuanian Red Cross activities from the Society's establishment in 1919 to 1989.

The Lithuanian criminal code, administrative offence code and statute on military discipline provide for criminal, administrative or disciplinary liability, respectively, for the breach of international humanitarian law.

The implementation of the Rome Statute of the International Criminal Court was completed after the ratification of the Statute in 2003 and of the Agreement on the Privileges and Immunities of the International Criminal Court in 2004.

In 2011, the criminal code of the Republic of Lithuania was amended to harmonize it with the Rome Statute and the Geneva Conventions and Protocols. In 2014, it was amended to harmonize it with the United Nations International Convention for the Protection of All Persons from Enforced Disappearance signed on 6 February 2007 in Paris.

Poland

[Original: English]
[30 May 2014]

The contents of the Geneva Conventions, the Hague Conventions and Protocols Additional to these Conventions are disseminated in the armed forces of the Republic of Poland.

International humanitarian law education in the armed forces is based on decision No. 184/MON of the Minister of National Defence of 13 June 2012 on the organization of the education and training system concerning the law of armed conflict in the national defence department. This system applies to all soldiers and employees of the Ministry of National Defence.

A system of education and training in international humanitarian law is currently being created that will provide for training within five subsystems, namely:

- Training of legal advisers
- Education in training centres
- Training for commanders and staff at the level of battalion and higher
- Training for military elements
- Education of personnel reserves

The training also includes the principles of liability for the breach of international humanitarian law standards.

The topics are presented during classes, which take the form of lectures, seminars and knowledge tests. Education in international humanitarian law is implemented in training centres and training schools for non-commissioned officers, mainly during the preparation of soldiers (non-commissioned officers and regular privates) to take up new positions. Training in international humanitarian law also

covers commanders and staff at all levels of command and organizational units of the Ministry of National Defence, which practise the implementation of international humanitarian law during exercises or staff training.

The main purposes of education include:

- To provide the staff and employees of the army with the necessary knowledge of international humanitarian law required in the execution of military tasks
- To raise awareness of criminal liability for the infringement of international humanitarian law
- To provide soldiers and employees of the Ministry of National Defence with skills necessary for the proper application of international humanitarian law and relevant response
- To prepare commanders to solve problems concerning proper observance of international humanitarian law and the constraints resulting from it, as well as precautions while planning, preparing and conducting operations

The dissemination of international humanitarian law, in turn, is executed in the armed forces of Poland within civic education, in accordance with the methodology of soldier training as part of civic training and prevention and military discipline.

In order to ensure proper protection of cultural property in the operations of the armed forces, guidelines regarding the protection of military real estate of historical value contained in a document prepared by the Infrastructure Department of the Ministry of National Defence are implemented. They include detailed measures for the protection of cultural property and competencies of persons holding managerial positions in the Ministry of National Defence and administrators being permanently in charge of military real estate of historical value.

The organizational structure of the Ministry of National Defence includes a representative responsible for the dissemination of international humanitarian law in the armed forces, who is also involved in the protection of cultural property and the Red Cross emblem. The Ministry of National Defence is also represented in the Armed Conflict Law Dissemination Team and the Protection of the Red Cross Emblem Team, operating under the main management board of the Polish Red Cross, as well as in the programme board for the protection of cultural property in the event of specific hazards, which reports to the Chief Commandant of the State Fire Service.

International humanitarian law issues are also included in the legal training as part of the basic training programme for the armed forces of the Republic of Poland and in the tactical training, supplementary training and different forms of operational training.

In addition, specialist courses and training sessions are organized in the field of the law of armed conflict.

A series of training sessions in the field of international humanitarian law are held as part of civic education with the staff of units and central institutions of the Ministry of National Defence and with the Orlik Polish military contingent and NATO Response Force. Additionally, since 2012, the Military Centre for Civic Education has run an e-learning course in the field of international humanitarian law. In cooperation with the National Defence University, the Military Centre for

Civic Education has opened postgraduate studies in the area of international humanitarian law. At the same time, the Department for Education and Promotion of Defence Policy of the Ministry of National Defence prepared training materials for the participants of military missions outside the borders of Poland.

In addition, the Director of the Education and Promotion of Defence Policy Department participates in meetings of the advisory committee, which is an auxiliary body of the Council of Ministers for the coordination of measures for the protection of historical sites and monuments in the event of an armed conflict.

The Ministry of National Defence has also initiated work on the development of legal grounds enabling the treatment within the Polish health-care system of people accidentally injured as a result of operations of Polish soldiers in areas of conflict. The Military Health Service Inspectorate is preparing a draft ordinance of the Council of Ministers enabling the allocation of funds for this purpose (co-financing of the treatment of the injured parties).

Qatar

[Original: Arabic]
[6 May 2014]

The State of Qatar is a party to the majority of key humanitarian law instruments and other relevant conventions, including the four Geneva Conventions of 1949, which relate to the protection of victims of international conflicts, and the 1977 Protocols Additional to the Geneva Conventions. Qatar also supports the International Humanitarian Fact-Finding Commission, established pursuant to Additional Protocol I, article 90.

ICRC has repeatedly emphasized in international forums, and particularly at the international conferences of the Red Cross and Red Crescent, that certain dangerous trends challenge the application of international humanitarian law.

Qatar believes that non-compliance with international humanitarian law has given rise to actions that have harmed civilians and caused their forced movement, destroyed infrastructure that is critical to preserving civilian lives and led to the use of starvation and blockades to achieve military gains on the ground. In turn, this has complicated armed conflicts and efforts to achieve enduring peace agreements.

The Conventions must be respected in all international and non-international armed conflicts and applied without double standards. However, the main obstacle continues to be States' lack of political will to shoulder their responsibility to prevent violations of international humanitarian law and to refrain from helping and encouraging other States to commit internationally unlawful acts. Such a position has encouraged certain parties to commit war crimes and crimes against humanity because they are convinced that the international community is unable to bring them to justice. Indeed, those parties have found ingenious ways to use internationally prohibited weapons, including poison gas, and they continue to do as they please with utter disregard for international humanitarian law.

International humanitarian law should now be updated, taking into account the new reality of warfare, and all States, large and small, must abide by it. All parties to international humanitarian law instruments must put into effect the action plan for the implementation of international humanitarian law adopted by the thirty-first

International Conference of the Red Cross and Red Crescent. They must also affirm their support for Additional Protocol I, article 90, which established the Commission, in order to promote its universality.

Switzerland

[Original: French]
[30 May 2014]

Switzerland is a party to all three Protocols Additional to the Geneva Conventions. As the depositary of the Geneva Conventions and the Protocols Additional thereto, Switzerland takes every opportunity at bilateral meetings to encourage States that have not yet done so to ratify the Additional Protocols, as well as the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict.

Following the thirty-first International Conference of the Red Cross and Red Crescent, held in late 2011, Switzerland and the International Committee of the Red Cross (ICRC) launched a joint initiative to strengthen compliance with international humanitarian law. The initiative's purpose is to engage States and other relevant stakeholders in exploring ways to strengthen compliance with international humanitarian law. At the second meeting organized under this initiative, held in June 2013, States expressed strong support for the establishment of a forum for regular dialogue on international humanitarian law and the further discussion of effective compliance mechanisms. The third meeting will be held on 30 June and 1 July 2014.

Switzerland signed the Convention on Cluster Munitions on 3 December 2008, in Oslo, and ratified it on 17 July 2012. The Convention entered into force for Switzerland on 1 January 2013. In the discussions at the Fourth Meeting of States Parties to the Convention, participants supported a proposal to establish the Convention secretariat at the Geneva International Centre for Humanitarian Demining. A final decision on the matter will be taken at the 2015 Review Conference.

At the national level, a German company has been engaged, following a public bidding process, to eliminate Switzerland's stockpile of cluster munitions ("cargo projectiles"). Destruction operations have already begun and will be completed within eight years, in accordance with the Convention.

Switzerland actively supports the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction. It supported the Twelfth Meeting of States Parties to that Convention, held in Geneva in December 2012, in particular by serving as Secretary-General of the Meeting. In addition to subsidizing the Geneva International Centre for Humanitarian Demining and providing 0.5 million Swiss francs to the Ottawa Convention secretariat, Switzerland has devoted some 1 million Swiss francs to demining activities, support for meetings of States parties and global projects in support of the relevant conventions.

As it does every year, Switzerland hosted the spring technical meetings on the Ottawa Convention; as it does every two years, it hosted the Meeting of States Parties, which took place in Geneva in December 2013. At that meeting Switzerland discharged the very important function of Secretary-General of the Meeting. It is

actively involved in the preparations for the Ottawa Convention Review Conference to be held in Maputo in June 2014, which will be a valuable opportunity for effectively expediting the treaty's implementation and ensuring strong, sustained international support.

In line with its humanitarian principles, Switzerland has continued to support the non-governmental organization Geneva Call, which engages non-State armed groups in several countries, including the Syrian Arab Republic, on compliance with Ottawa Convention norms. In 2013, the Sudan People's Liberation Movement-North, a major group operating in the Sudan, signed a "Deed of Commitment" to stop using anti-personnel mines and to eliminate them in its areas of operation.

Switzerland actively promotes international criminal justice, in part by supporting the International Criminal Court. Switzerland's Ambassador to the Netherlands is one of the two Vice-Presidents of the Assembly of States Parties to the Rome Statute of the International Criminal Court; the Permanent Representative of Switzerland to the United Nations in New York heads that Assembly's Working Group on Amendments; and Switzerland is represented on its Bureau. As an active member of the Group of Friends of the International Criminal Court in both New York and The Hague, Switzerland has demonstrated a commitment to political involvement in this area. Accordingly, it was the driving force behind a 2012 ministerial declaration in support of the Court, which was adopted by the 24 countries participating in the informal ministerial network for the Court. With respect to the Syrian Arab Republic, Switzerland, supported by some 60 other States, drafted a letter requesting the United Nations Security Council to refer the matter to the Court. At the national level, in 2014 the Swiss Federal Assembly will be asked to approve the ratification of the Rome Statute amendments adopted in Kampala in 2010.

Apart from its involvement in the promotion of international criminal justice, Switzerland has broad expertise on ways of dealing with the past and preventing future atrocities. It thus advocates the criminal prosecution of violators of human rights and international humanitarian law, while supporting measures taken in the interest of victims, such as truth-seeking, reparations and measures to ensure non-recurrence (prevention of atrocities).

Five years after the adoption of the Montreux Document on pertinent international legal obligations and good practices for States, Switzerland and ICRC, in cooperation with the Geneva Centre for the Democratic Control of Armed Forces, held a conference known as "Montreux+5" from 11 to 13 December 2013. It was agreed at that event that priority should now be given to States' and international organizations' compliance with their obligations in relation to private military and security companies. The participants also stressed the need for ongoing dialogue between States and international organizations that support the Montreux Document. Discussions are under way on the establishment of a Montreux Document Forum, possibly in late 2014 or early 2015.

As of May 2014, 50 States and 3 international organizations had expressed support for the Montreux Document (www.eda.admin.ch/eda/en/home/topics/intla/humlaw/pse/parsta.html).

The International Code of Conduct for Private Security Service Providers' Association was established on 20 September 2013 at the first meeting of its

General Assembly, held in Geneva, and serves as the governance and oversight mechanism for the Code. The charter for the oversight mechanism had been successfully negotiated at a conference held in Montreux from 19 to 22 February 2013, and took the form of articles of association. Thus far (as of 26 May 2013), 708 service providers based in 55 countries have signed the Code.

Switzerland is in the process of revising two complementary instruments on humanitarian access, new versions of which should be ready for publication in September 2014. The instruments consist of a legal handbook intended to clarify legal issues related to humanitarian access in situations of armed conflict and a practical handbook for field personnel that presents methodologies, tools and practical advice aimed at proposing more effective operational responses for expeditious, unhindered and sustained humanitarian access.

In 2009, the Swiss Federal Council established the Interdepartmental Committee on International Humanitarian Law[3] in response to a recommendation of the International Red Cross and Red Crescent Movement. In 2014, the Committee organized a course on international humanitarian law for staff of the federal Administration.

Switzerland supports and encourages the work of the International Humanitarian Fact-Finding Commission by providing it with secretariat services. In February 2013, Switzerland held a briefing, to which all States were invited, to explain the Commission's purpose and operations. The Commission secretariat has sent a letter encouraging all States that have not yet done so to accept the Commission's competence. At the sixty-seventh session of the United Nations General Assembly, in 2012, during the Sixth Committee's discussions on the status of the Protocols Additional to the Geneva Conventions relating to the protection of victims of armed conflicts, Switzerland encouraged the States parties to Additional Protocol I that had not yet done so to accept the Commission's competence, recalling that they could signify such acceptance simply by depositing a declaration to that effect with the depositary.

Switzerland has reviewed its strategy for the protection of civilians in armed conflicts, as such a review was necessary in order to take new developments and experiences into account. Another aim of the review was to extend it to the other two departments most closely involved in the country's actions to protect civilians in armed conflicts: the Department of Defence, Civil Protection and Sport and the Federal Department of Justice and Police. The main goal of this strategy is to ensure coherence and efficiency in Switzerland's activities, particularly through priority-setting. It thus focuses not on launching new initiatives, but on making coherent use of existing instruments. Moreover, by means of this strategy, Switzerland ensures that the normative framework on the protection of civilians in armed conflicts is clarified, strengthened and disseminated.

[3] The Interdepartmental Committee is a mechanism for the sharing of experiences and information on international humanitarian law within the federal Administration and for ensuring compliance with such law in Switzerland. It coordinates the activities of the various federal authorities and maintains close ties with the scientific community, civil society and other organizations working in the international humanitarian law field, including the International Committee of the Red Cross.

III. Information received from international organizations

International Committee of the Red Cross

[Original: English]
[1 June 2014]

Initiatives taken by ICRC to reaffirm, clarify and strengthen international humanitarian law

Among the eight resolutions adopted during the 31st International Conference of the Red Cross and Red Crescent (Geneva, November-December 2011), three related to international humanitarian law issues: resolutions 1, 2 and 5.

Resolution 1 on strengthening legal protection for victims of armed conflicts confirmed the need to strengthen international humanitarian law in two areas: (1) the protection of persons deprived of their liberty in non-international armed conflict; and (2) the mechanisms for monitoring compliance with international humanitarian law. In the resolution, the Conference invited ICRC, in cooperation with States, to pursue research and consultation and propose options for strengthening the law in both areas. ICRC held four regional consultations (November 2012 to April 2013) with States on ways to address the weaknesses in international humanitarian law governing detention in non-international armed conflicts. In response to the feedback received, ICRC continued the process with two additional thematic consultations. The first focused on conditions of detention and particularly vulnerable detainees (Geneva, January 2014) and the second will address grounds and procedures for internment and transfers of detainees (October 2014). On the second track related to strengthening compliance with international humanitarian law, ICRC, jointly with the Government of Switzerland, has facilitated multilateral consultations to review existing international humanitarian law compliance mechanisms and examine options for creating more effective mechanisms. Two meetings of States (July 2012 and June 2013) were held, along with four preparatory meetings, to discuss the framing of a possible new international humanitarian law compliance system, including by creating a forum for regular dialogue between States on current international humanitarian law issues. The third all-States meeting will be held from 30 June to 1 July 2014.

ICRC has undertaken numerous initiatives to implement resolution 2 on the four-year action plan for the implementation of international humanitarian law in five areas: (1) access by civilian populations to humanitarian assistance in armed conflicts; (2) protection of children, women and persons with disabilities; (3) protection of journalists; (4) incorporation and repression of serious international humanitarian law violations; and (5) arms transfers. In particular, it has promoted and undertaken negotiations, along with States and other stakeholders, for the adoption of the Arms Trade Treaty. ICRC has also maintained continuous communication with States and National Societies to ensure the implementation of the pledges they made regarding the action plan, and will prepare a report on progress made on the implementation of the action plan.

The ICRC Advisory Service on international humanitarian law organized an expert workshop on domestic normative frameworks for the protection of health care (Brussels, January 2014), which gathered more than 40 participants from all regions of the world, including from international organizations and associations. In

2014, the Advisory Service will produce a report of the workshop as well as a guiding tool for national implementation of the legal framework protecting the provision of health care.

Both the ICRC study on customary international humanitarian law (2005) and its online, free-of-charge, customary international humanitarian law database are widely used as legal reference tools on international humanitarian law applicable in international and non-international armed conflicts by States, international organizations, national and international courts and tribunals, non-governmental organizations and academia. ICRC continues and has intensified its updates of State and international practice to its online customary international humanitarian law database.

ICRC and the International Red Cross and Red Crescent Movement have voiced their concern about the humanitarian impact of nuclear weapons and the consequences of their use for international humanitarian law. The Movement's views are outlined in a historic resolution adopted by the 2011 Council of Delegates, in which it concluded that it was difficult to envisage how the use of nuclear weapons could be consistent with international humanitarian law. In the resolution, the Council also appealed to States to begin negotiations to prohibit and eliminate nuclear weapons in accordance with their existing international commitments. In 2013, the Movement adopted a four-year action plan to help National Red Cross and Red Crescent Societies to engage on the nuclear weapons issue with their Governments. The Movement actively participated in the two intergovernmental conferences on the humanitarian impact of nuclear weapons (Oslo, March 2013, and Nayarit, Mexico, February 2014) and ICRC continues to communicate the Movement's concerns in other intergovernmental forums, including meetings of States parties to the Treaty on the Non-Proliferation of Nuclear Weapons and of the United Nations General Assembly.

The ICRC report entitled *The Use of Force in Armed Conflicts: Interplay between the Conduct of Hostilities and Law Enforcement Paradigms*, which provides a detailed account of the debates held during an expert meeting organized in Geneva by ICRC on the use of force in armed conflicts, was published in November 2013.

The publication of an article in the *International Review of the Red Cross* and active participation in governmental and expert conferences directly contributed to the promotion of international humanitarian law rules applicable to cyberwarfare. In March 2014, ICRC organized an expert meeting aimed at exploring the legal, technological, military and ethical aspects of the deployment of autonomous weapons.

In December 2013, the Government of Switzerland and ICRC organized a conference to celebrate the fifth anniversary of the Montreux Document on private military and security companies. The conference provided States with an opportunity to take stock of the progress made in terms of regulation, to identify challenges in the national implementation of the Document and to look at ways to promote its wider endorsement. The participants also expressed interest in institutionalizing the dialogue among signatory States through a Montreux Document participants' forum.

ICRC continued to work to provide national authorities with legal advice and technical assistance for the adoption of legislative, regulatory and practical measures needed to ensure full implementation of international humanitarian law in domestic law and practice. In particular, ICRC continued over the past two years to support the adherence to and implementation of the 1949 Geneva Conventions, their Additional Protocols of 1977 and 2005, and various other international humanitarian law instruments.

ICRC welcomes the accession of the State of Palestine and South Sudan, in the period under review, to the four Geneva Conventions and Additional Protocol I (1977), as well as the accession of South Sudan to Additional Protocol II (1977). Additional Protocol III (2005) was adhered to by the following countries: Kenya, Nauru, New Zealand, Portugal, South Sudan, Suriname and Uruguay.

ICRC would also like to underline that Kuwait, Malawi, Saint Vincent and the Grenadines and Saint Kitts and Nevis recently accepted the competence of the International Humanitarian Fact-Finding Commission. ICRC similarly stresses national implementation measures of international humanitarian law taken in at least 33 States on a number of topics, such as weapons, missing persons, torture and repression of international crimes, including war crimes.

ICRC has modernized its public database on national implementation of international humanitarian law. The database contains up-to-date information on the national legislation and case law of 194 countries, and offers States' authorities and other interested actors a research tool to share best practices and to facilitate the fulfilment of their obligations under international humanitarian law.

ICRC published the report of the third universal meeting of National Committees for the implementation of international humanitarian law, entitled *Preventing and Repressing International Crimes: Towards an "Integrated" Approach Based on Domestic Practice* (February 2014), which includes discussions on various means and solutions available for meeting the challenges associated with bringing domestic legislation and practice into line with the requirements under international humanitarian law, and offers a pragmatic approach to the prevention and suppression of international crimes.

Annex

List of States parties to the Additional Protocols of 1977 to the Geneva Conventions of 1949 as at 2 June 2014[a]

State	*Date of ratification, accession or succession*
Afghanistan	10 November 2009
Albania	16 July 1993
Algeria[b,c]	16 August 1989
Angola (Protocol I only)[b]	20 September 1984
Antigua and Barbuda	6 October 1986
Argentina[b,c]	26 November 1986
Armenia	7 June 1993
Australia[b,c]	21 June 1991
Austria[b,c]	13 August 1982
Bahamas	10 April 1980
Bahrain	30 October 1986
Bangladesh	8 September 1980
Barbados	19 February 1990
Belarus[c]	23 October 1989
Belgium[b,c]	20 May 1986
Belize	29 June 1984
Benin	28 May 1986
Bolivia (Plurinational State of)[c]	8 December 1983
Bosnia and Herzegovina[c]	31 December 1992
Botswana	23 May 1979
Brazil[c]	5 May 1992
Brunei Darussalam	14 October 1991
Bulgaria[c]	26 September 1989
Burkina Faso[c]	20 October 1987
Burundi	10 June 1993

State	*Date of ratification, accession or succession*
Cambodia	14 January 1998
Cameroon	16 March 1984
Canada[b,c]	20 November 1990
Cabo Verde[c]	16 March 1995
Central African Republic	17 July 1984
Chad	17 January 1997
Chile[c]	24 April 1991
China[b]	14 September 1983
Colombia (Protocol I)[c]	1 September 1993
(Protocol II)	14 August 1995
Comoros	21 November 1985
Congo	10 November 1983
Cook Islands[c]	7 May 2002
Costa Rica[c]	15 December 1983
Côte d'Ivoire	20 September 1989
Croatia[c]	11 May 1992
Cuba (Protocol I)	25 November 1982
(Protocol II)	23 June 1999
Cyprus (Protocol I)[c]	1 June 1979
(Protocol II)	18 March 1996
Czech Republic[c]	5 February 1993
Democratic People's Republic of Korea (Protocol I only)	9 March 1988
Democratic Republic of the Congo (Protocol I)[c]	3 June 1982
(Protocol II)	12 December 2002
Denmark[b,c]	17 June 1982
Djibouti	8 April 1991
Dominica	25 April 1996
Dominican Republic	26 May 1994

State	*Date of ratification, accession or succession*
Ecuador	10 April 1979
Egypt[b]	9 October 1992
El Salvador	23 November 1978
Equatorial Guinea	24 July 1986
Estonia[c]	18 January 1993
Ethiopia	8 April 1994
Fiji	30 July 2008
Finland[b,c]	7 August 1980
France (Protocol I)[b]	11 April 2001
(Protocol II)[b]	24 February 1984
Gabon	8 April 1980
Gambia	12 January 1989
Georgia	14 September 1993
Germany[b,c]	14 February 1991
Ghana	28 February 1978
Greece (Protocol I)[c]	31 March 1989
(Protocol II)	15 February 1993
Grenada	23 September 1998
Guatemala	19 October 1987
Guinea[c]	11 July 1984
Guinea-Bissau	21 October 1986
Guyana	18 January 1988
Haiti	20 December 2006
Holy See[b]	21 November 1985
Honduras	16 February 1995
Hungary[c]	12 April 1989
Iceland[b,c]	10 April 1987
Iraq (Protocol I only)	1 April 2010

State	Date of ratification, accession or succession
Ireland[b,c]	19 May 1999
Italy[b,c]	27 February 1986
Jamaica	29 July 1986
Japan[b,c]	31 August 2004
Jordan	1 May 1979
Kazakhstan	5 May 1992
Kenya	23 February 1999
Kuwait[c]	17 January 1985
Kyrgyzstan	18 September 1992
Lao People's Democratic Republic[c]	18 November 1980
Latvia	24 December 1991
Lebanon	23 July 1997
Lesotho[c]	20 May 1994
Liberia	30 June 1988
Libya	7 June 1978
Liechtenstein[b,c]	10 August 1989
Lithuania[c]	13 July 2000
Luxembourg[c]	29 August 1989
Madagascar[c]	8 May 1992
Malawi[c]	7 October 1991
Maldives	3 September 1991
Mali[c]	8 February 1989
Malta[b,c]	17 April 1989
Morocco	3 June 2011
Mauritania	14 March 1980
Mauritius[b]	22 March 1982
Mexico (Protocol I only)	10 March 1983
Micronesia (Federated States of)	19 September 1995

State	*Date of ratification, accession or succession*
Monaco[c]	7 January 2000
Mongolia[b,c]	6 December 1995
Montenegro[c]	2 August 2006
Mozambique (Protocol I)	14 March 1983
(Protocol II)	12 November 2002
Namibia[c]	17 June 1994
Nauru	27 June 2006
Netherlands[b,c]	26 June 1987
New Zealand[b,c]	8 February 1988
Nicaragua	19 July 1999
Niger	8 June 1979
Nigeria	10 October 1988
Norway[c]	14 December 1981
Oman[b]	29 March 1984
Palau	25 June 1996
Panama[c]	18 September 1995
Paraguay[c]	30 November 1990
Peru	14 July 1989
Philippines (Protocol I)[b]	30 March 2012
(Protocol II)	11 December 1986
Poland[c]	23 October 1991
Portugal[c]	27 May 1992
Qatar (Protocol I)[b,c]	5 April 1988
(Protocol II)	5 January 2005
Republic of Korea[b,c]	15 January 1982
Republic of Moldova	24 May 1993
Romania[c]	21 June 1990
Russian Federation[b,c]	29 September 1989

State	*Date of ratification, accession or succession*
Rwanda[c]	19 November 1984
Saint Kitts and Nevis[c]	14 February 1986
Saint Lucia	7 October 1982
Saint Vincent and the Grenadines[c]	8 April 1983
Samoa	23 August 1984
San Marino	5 April 1994
Sao Tome and Principe	5 July 1996
Saudi Arabia (Protocol I)[b]	21 August 1987
(Protocol II)	28 November 2001
Senegal	7 May 1985
Serbia[c]	16 October 2001
Seychelles[c]	8 November 1984
Sierra Leone	21 October 1986
Slovakia[c]	2 April 1993
Slovenia[c]	26 March 1992
Solomon Islands	19 September 1988
South Africa	21 November 1995
South Sudan	25 January 2013
Spain[b,c]	21 April 1989
State of Palestine (Protocol I only)	2 April 2014
Sudan (Protocol I)	7 March 2006
(Protocol II)	13 July 2006
Suriname	16 December 1985
Swaziland	2 November 1995
Sweden[b,c]	31 August 1979
Switzerland[c]	17 February 1982
Syrian Arab Republic (Protocol I only)[b]	14 November 1983
Tajikistan[c]	13 January 1993

State	*Date of ratification, accession or succession*
The former Yugoslav Republic of Macedonia[b,c]	1 September 1993
Timor-Leste	12 April 2005
Togo[c]	21 June 1984
Tonga[c]	20 January 2003
Trinidad and Tobago[c]	20 July 2001
Tunisia	9 August 1979
Turkmenistan	10 April 1992
Uganda	13 March 1991
Ukraine[c]	25 January 1990
United Arab Emirates[b,c]	9 March 1983
United Kingdom of Great Britain and Northern Ireland[b,c]	28 January 1998
United Republic of Tanzania	15 February 1983
Uruguay[c]	13 December 1985
Uzbekistan	8 October 1993
Vanuatu	28 February 1985
Venezuela (Bolivarian Republic of)	23 July 1998
Viet Nam (Protocol I only)	19 October 1981
Yemen	17 April 1990
Zambia	4 May 1995
Zimbabwe	19 October 1992

[a] The list was provided by Switzerland as Depository of the Geneva Conventions and Additional Protocols. Information was taken from the website of the Swiss Federal Department of Foreign Affairs (www.dfae.admin.ch/depositaire).

[b] Ratification, accession or succession accompanied by a reservation and/or a declaration.

[c] Party which has made the declaration provided for under article 90 of Protocol I.

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Item 81 of the provisional agenda*
Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives

Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives

Report of the Secretary-General

Summary

Seven States submitted reports, pursuant to paragraph 10 of General Assembly resolution 67/94, by the established deadline (see section II of the present report).

Five views were received from States pursuant to paragraph 12 of General Assembly resolution 67/94 (see section III).

Fourteen additional States became participants to the instruments relevant to the protection, security and safety of diplomatic and consular missions and representatives (see section IV) since the previous report (A/67/126) on the topic.

* A/69/150.

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I. Introduction

1. On 14 December 2012, the General Assembly adopted resolution 67/94, entitled "Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives". Paragraphs 10, 12 and 13 of the resolution read as follows:

> "*The General Assembly*,
>
> ...
>
> "10. *Urges*:
>
> (*a*) All States to report to the Secretary-General, in a concise and expeditious manner and in accordance with the guidelines prepared by the Secretary-General, serious violations of the protection, security and safety of diplomatic and consular missions and representatives as well as missions and representatives with diplomatic status to international intergovernmental organizations;
>
> (*b*) The State in which the violation took place — and, to the extent possible, the State where the alleged offender is present — to report to the Secretary-General, in a concise and expeditious manner and in accordance with the guidelines prepared by the Secretary-General, on measures taken to bring the offender to justice and eventually to communicate, in accordance with its laws, the final outcome of the proceedings against the offender, and to report on measures adopted with a view to preventing a repetition of such violations;
>
> ...
>
> "12. *Also requests* the Secretary-General to invite States, in the circular note referred to in paragraph 11 (a) above, to inform him of their views with respect to any measures needed or already taken to enhance the protection, security and safety of diplomatic and consular missions and representatives as well as missions and representatives with diplomatic status to international intergovernmental organizations;
>
> "13. *Further requests* the Secretary-General to submit to the General Assembly at its sixty-ninth session a report containing:
>
> (*a*) Information on the state of ratification of and accessions to the instruments referred to in paragraph 8 above;
>
> (*b*) A summary of the reports received and views expressed pursuant to paragraphs 10 and 12 above."

2. By notes dated 2 January 2013 and 10 March 2014, the Secretary-General drew the attention of States to the request contained in paragraph 10 (a) of resolution 67/94 and invited them to report to the Secretary-General serious violations of the protection, security and safety of diplomatic and consular missions and representatives.

3. The present report has been prepared pursuant to paragraph 13 of resolution 67/94.

4. Section II of the report contains a summary of the reports received and the text of those reports relevant to paragraph 10 of the resolution.

5. Section III of the report contains the views expressed pursuant to paragraph 12 of the resolution.

6. Section IV of the report contains information on the status of participation of States, as at 10 June 2014, in the Vienna Convention on Diplomatic Relations of 1961,[1] the Vienna Convention on Consular Relations of 1963,[2] and the respective optional protocols thereto, as well as the 1973 Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents.[3]

II. Reports received from States pursuant to paragraph 10 of General Assembly resolution 67/94

7. **Saudi Arabia** (4 January 2013) reported on the measures taken against the offenders that participated in the attempt to attack the Consulate of the Syrian Arab Republic in Jeddah, Saudi Arabia (14 August 2012) and on the attack on the Embassy of the Kingdom of Saudi Arabia to the Syrian Arab Republic (12 November 2011):

> On 14 August 2012 [sic], two Syrian nationals (Radwan Ibrahim Ismail and Talhah Ibrahim Ismail) attempted to break into the Syrian Consulate in Jeddah, were stopped by members of the diplomatic security, and were arrested. An investigation was started by the Saudi Arabian police regarding the incident. Moreover, attached to this report is a letter (#107/2011 dated 14 August 2012 [sic]) presented by the Syrian Consulate in Jeddah to the Ministry of Foreign Affairs of Saudi Arabia, showing its high appreciation of the efforts of the Saudi diplomatic security personnel and their prompt response.
>
> With further reference, the Permanent Mission of the Kingdom of Saudi Arabia to the United Nations would like to report an attack that took place on the Embassy of the Kingdom of Saudi Arabia to the Syrian Arab Republic on 12 November 2011. An angry mob surrounded the Embassy's building in Damascus, lobbing it with stones. The Syrian Diplomatic Security did little to stop them when they breached the perimeter of the Embassy's building. The attackers proceeded to tamper with the contents of the Embassy and the symbols of the Kingdom. They remained in the building for a considerable amount of time, before the Syrian security forces interfered and evicted them.
>
> The Government of Saudi Arabia wishes that this report and its attachment be circulated to all Member States and be included in the upcoming report on the agenda item titled "Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives." Moreover, and in accordance with subparagraph 11 (d) of General Assembly resolution 65/30, we kindly request ... to address a reminder to the Permanent Mission of the Syrian Arab Republic to present a

[1] United Nations, *Treaty Series*, vol. 500, No. 7310.

[2] Ibid., vol. 596, No. 8638.

[3] Ibid., vol. 1035, No. 15410.

report on the measures taken to bring the offenders in the attack on our Embassy in Damascus to justice.

Consulate General of the Syrian Arab Republic
Jeddah
Ref: 107/2011
Date: 14 August 2011

The Consulate General of the Syrian Arab Republic in Jeddah presents its compliments to the Ministry of Foreign Affairs of the fraternal Kingdom of Saudi Arabia, Department of Mecca region, and, further to its notes Nos. 96 and 98 of 31 July 2011 and 7 August 2011, respectively, has the honour to inform it that at 1 p.m. on 14 August 2011, two Syrian citizens, Radwan Ibrahim Ismail and Talha Ibrahim Ismail, a copy of whose resident's permits are attached, burst into the petitioners' room of the Consulate and smashed the portrait of President Bashar Al-Assad. They also assaulted two employees of the Consulate General, vilifying and abusing the Presidency of the Syrian Arab Republic.

The Consulate General greatly appreciates the efforts exerted by the members of the diplomatic security corps who responded immediately, dealt with the incident and arrested the perpetrators; nevertheless, it hopes that the measures necessary to increase the security of the Consulate and the residence of the Consul General will continue to be taken. It would also appreciate being informed of the outcome of the investigation into that incident, as well as of the outcome of the investigations into the earlier incidents that were the subject of the notes referred to above.

8. **Saudi Arabia** (26 February 2013) further provided additional information regarding the measures taken against the offenders that participated in the attempt to attack the Consulate of the Syrian Arab Republic in Jeddah, Saudi Arabia, as well as reported attacks that took place on Saudi diplomatic posts worldwide (from 2007 through 15 November 2012):

Further to the Ministry's initial cable No. 9/4/85468, dated 22/03/1434 A.H., on the exposure of the Syrian Consulate in Jeddah to an attack and attempt to break through, the Ministry of Foreign Affairs received a cable from the Ministry of Interior stating the following:

On 08/09/1433 A.H., the Al-Sharafeya Police Station received a letter from the Syrian Consulate stating that Ali Abdullah Al-Khidr (Syrian national) threatened to burn the Consulate's building. This letter was forwarded to the competent authorities, and the investigation was concluded by non-indictment for insufficient evidence and consequently the charge was dropped.

On 6/1/1433 A.H., Moustafa Azmi Alguendh (Syrian national) went to the Consulate and committed an act of assault and verbal insults. This person was transferred to the competent [authorities]. The charges were dropped in return for a commitment from the accused to not repeat his behaviour.

On 25/2/1433 A.H., the Al-Sharafeya Police Station of the Governorate of Jeddah received a letter from the Syrian Consulate in Jeddah stating that Ahmed Mohamed Barakat, Sharaf Mohamed Barakat and Nassar Fawzi Suleiman (Syrian nationals) assaulted, battered, cursed and smacked an

employee of the Consulate called Emad Al-Mullah Faraj. They were transferred to the competent authorities. In addition, a note was sent to the Syrian Consulate asking for the deposition of the Consulate's employees about the incident. However, to date, no one has contacted the police in that regard.

On 17/10/1433 A.H., Mohammed Khalid Mohammed Kindu, Abdul Rahman Jamal Yassin and Yahya Ahmed Al-Khatib (Syrian nationals) wrote on the outside wall of the Syrian Consulate a phrase saying "Leave Bashar". They were transferred to competent authorities for investigation. The judgement was to release them after having their commitment to not repeat their actions.

On 29/10/1433 A.H., the Ministry of Foreign Affairs' branch in Makkah received a note from the Syrian Consulate stating that an individual named Mohamed Rizieq called the Consulate's official phone number from his mobile phone and asked to speak to the Consul General. He then attacked the Consul with obscene terms and insults, and verbally intimidated the Consul, mentioning also the Consulate and the Syrian State. The deposition of Mohamed Rizieq was heard by the Asir Region's police, as the accused lives in the region of Abha; and the case was referred to the competent authorities.

On 14/3/1434 A.H., the Al-Sharafeya Police Station received a letter from the Syrian Consulate stating that Mohamed Ihsan Zahra (Syrian national) had directly attacked the Consulate staff and had beaten one of the employees, then headed towards the picture of the President of the Republic on the wall and tried to bring it down and destroy it. Moreover, they mentioned in their letter that Zahra was motivated by his colleague Mohamed Amer Omar Al-Sagh (Syrian national). Both were transferred to the competent authorities. In addition, a written note was sent to the Syrian Consulate asking for the deposition of the assaulted Consulate's employees about the incident. However, to date, no plaintiff has contacted the police in that regard.

With further reference, the Permanent Mission of Saudi Arabia to the United Nations would like to report on attacks that took place on Saudi diplomatic posts worldwide from 2007 through 15 November 2012 (see the attached table, as translated from cable No. 5/5/68090 dated 4/3/1434 A.H.).

Table of assaults on Saudi diplomatic posts and persons worldwide

Diplomatic post/Diplomat	*Location of post*	*Date of assault*	*Type of assault*
Consulate Building	Mashhad, Iran (Islamic Republic of)	2007	Wall collision
Consulate Building	Mashhad, Iran (Islamic Republic of)	2007	Theft of outside camera
Embassy and Consulate Buildings	Tehran, Iran (Islamic Republic of)	2007	Threat via fax
Mr. Sultan AlSahli	Caracas, Venezuela (Bolivian Republic of)	29 July 2007	Abduction

Diplomatic post/Diplomat	*Location of post*	*Date of assault*	*Type of assault*
Embassy Building	Caracas, Venezuela (Bolivian Republic of)	2 May 2008	Attempted robbery
Mr. Ali AlQahtani	Caracas, Venezuela (Bolivian Republic of)	21 April 2009	Abduction
Mr. Hilan Bin Lubdah	Caracas, Venezuela (Bolivian Republic of)	27 April 2009	Abduction
Consulate Building	Mashhad, Iran (Islamic Republic of)	21 November 2009	Assault with (2) explosive materials
Mr. Ghazi Althahri	Tehran, Iran (Islamic Republic of)	16 March 2010	Assault
Mr. Hamoud Alasmari	Tehran, Iran (Islamic Republic of)	16 March 2010	Assault
Mr. Rashid Alkhabrani	Nairobi, Kenya	16 April 2010	Attempted abduction
Mr. Mohammed Mahmoud Mohammed	Nairobi, Kenya	5 May 2010	Shooting
Mr. Alsayed Almalki	Sana'a, Yemen	2 May 2010	Abduction
Mr. Dakhil Allah Almutrafi	Mashhad, Iran (Islamic Republic of)	6 July 2010	Car burning
The Clinic at the Consulate	Karachi, Pakistan	12 May 2011	Assault with explosive materials
Mr. Hasan Algahtani	Karachi, Pakistan	17 May 2011	Assassination
Mr. Mubarak Aldouseeri	Mashhad, Iran (Islamic Republic of)	7 June 2011	Assault
Mr. Mishaal Aljaeed	Mashhad, Iran (Islamic Republic of)	10 July 2011	House robbery
Consular residence	Tehran, Iran (Islamic Republic of)	31 August 2011	Harassment
Mr. Khaled Almalki	Tehran, Iran (Islamic Republic of)	2011	Harassment
Embassy Building	Tehran, Iran (Islamic Republic of)	9 September 2011	Gathered and stoned
The Consul General	Mashhad, Iran (Islamic Republic of)	28 September 2011	Harassment while in vehicle

Diplomatic post/Diplomat	*Location of post*	*Date of assault*	*Type of assault*
The Ambassador	Washington, D.C.	11 October 2011	Attempted assassination by vehicle explosion
Mr. Nasir Bin Bitla	Mashhad, Iran (Islamic Republic of)	17 December 2011	Auto theft
Mr. Nasir Alharbi	Mashhad, Iran (Islamic Republic of)	9 June 2012	Assault
Embassy Building	Damascus, Syrian Arab Republic	12 November 2011	Intrusion on the Embassy
Embassy Building	Damascus, Syrian Arab Republic	13 November 2011	Attack on the Embassy
Mr. Hadi Althiyabi	Tehran, Iran (Islamic Republic of)	10 December 2011	House robbery
Mr. Mohammed Alasmari	Khartoum, Sudan	1 January 2012	Verbal assault by security personnel
Mr. Saoud Althahrani	Khartoum, Sudan	11 January 2012	Abducted
Mr. Ayman Madeen	Khartoum, Sudan	25 February 2012	Assaulted
Mr. Muhsan Alkaabi	Khartoum, Sudan	25 February 2012	Assaulted
Mr. Ahmad Alshahri	Khartoum, Sudan	25 February 2012	Assaulted
Mr. Ibrahim Alrasheedi	Khartoum, Sudan	27 February 2012	Abducted and blackmailed
Mr. Abeen Albiqmi	Khartoum, Sudan	28 February 2012	Harassed at airport
Mr. Khalf Alali	Deka, Liberia	6 March 2012	Assassinated
Mr. Mohammad Alshamrani	Khartoum, Sudan	20 March 2012	Harassed and chased
Mr. Fahas Aldrousi	Amman, Jordan	22 March 2012	Threatened with weapons
Mr. Abdallah Alkhaldi	Adan, Yemen	28 March 2012	Abducted
Mr. Sulayman Albadir	Khartoum, Sudan	27 April 2012	Assaulted
Mr. Hasan Aljabri	Khartoum, Sudan	12 May 2012	Harassed at airport
Mr. Salem Almarzoogi	Khartoum, Sudan	13 May 2012	Assaulted
Mr. Hatat Alroueli	Khartoum, Sudan	21 May 2012	Harassed

Diplomatic post/Diplomat	*Location of post*	*Date of assault*	*Type of assault*
Mr. Aldalziz Alnoufel	Tunisia	17 June 2012	Assaulted
Sons of Mr. Salih Alghadeer	Amman, Jordan	16 November 2012	Assaulted
Mr. Khaled Alghadeer	Sana'a, Yemen	28 November 2012	Assassinated
Mr. Faisal Alrasheed	Amman, Jordan	11 December 2012	Assaulted
Mr. Sulayman Alolayan	Amman, Jordan	11 December 2012	Assaulted

The Government of Saudi Arabia wishes to request that the present letter and its annex be circulated to all Member States as a document of the General Assembly under agenda item 81.[4]

Further to the Ministry's initial cable No. 9/4/85468, dated 22/03/1434 A.H., on the exposure of the Syrian Consulate in Jeddah to an attack and attempt to break through, the Ministry of Foreign Affairs received a cable from the Ministry of the Interior stating that the attacks that occurred were carried out by Syrian nationals who were permitted admissions into the Consulate building.

The Government of Saudi Arabia wishes to request that the present letter be circulated to all Member States as a document of the General Assembly under agenda item 81.[5]

9. **Algeria** (27 March 2013) reported the incident involving the Embassy of the Syrian Arab Republic in Algiers (4 February 2012):

On 4 February 2012, an incident took place at the Embassy of the Syrian Arab Republic in Algiers, followed by threats against the Ambassador, diplomatic mission staff and families, and an Algerian staff member.

On the date just mentioned, a group of 17 Syrian nationals gathered in front of the main entrance of the Embassy of the Syrian Arab Republic in Algiers and attempted to storm the building. Police officers who were present intervened in order to disperse them and deny them access to the mission. A few moments later, the Embassy's head of public relations approached with the information that three Syrian nationals had trespassed and removed the Syrian flag, replacing it with that of the opposition movement.

The Syrian Consul, who was also on the premises, chose not to lodge a complaint immediately afterward without the authorization of the Syrian authorities.

After police officers were transferred to Embassy headquarters, a senior official of the diplomatic mission stated that the Ambassador did not wish to lodge an official complaint, as an incident report was being sent to the Ministry of Foreign Affairs of the Syrian Arab Republic.

[4] A/67/759.
[5] A/67/767.

Finally, the police force of the prefecture of Algiers reported the incident to the Prosecutor of the Republic attached to the relevant court (in the town of Bir Mourad Rais).

10. **The Syrian Arab Republic** (17 April 2013) referred to information contained in document A/67/126/Add.1, which was provided on 17 May 2012 by the Government of the Syrian Arab Republic (see para. 2 of the document) and to the two letters dated 26 February 2013 from the Permanent Representative of Saudi Arabia to the United Nations addressed to the Secretary-General and circulated to Member States (documents A/67/759 and A/67/767, respectively) regarding the attacks on the Consulate of the Syrian Arab Republic in Jeddah as well as the incidents involving the Saudi Embassy in Damascus (in this connection, see also paras. 7 and 8 of the present report):

...

- On instructions from my Government, I refer to information contained in document A/67/126/Add.1, which was provided on 17 May 2012 by the Government of the Syrian Arab Republic pursuant to paragraph 10 of General Assembly resolution 65/30. I write in response to the two letters dated 26 February 2013 from the Permanent Representative of Saudi Arabia to the United Nations addressed to the Secretary-General and circulated to Member States (documents A/67/759 and A/67/767, respectively). I wish to draw your attention to the following information:

- The letters from the Permanent Representative of Saudi Arabia refer to only six of the repeated attacks on the Consulate of the Syrian Arab Republic in Jeddah. According to the letters, Saudi judicial proceedings ended in the release of the assailants owing to insufficient evidence or after they had pledged not to repeat their behaviour. The letters invoke the pretext that no statement was received from the employees of the Syrian Consulate who were attacked.

- The measures taken by the competent authorities of Saudi Arabia — on the one hand, preventive action to protect the Syrian Consulate and guarantee the safety and security of its employees, and, on the other hand, the response aimed at prosecuting the assailants and preventing them from attacking again — are not proportionate with the nature or extent of the threat posed by the repeated attacks on the Syrian Consulate and its employees. The response to the attacks, which took place on a daily basis over a given period of time, was neither genuine nor sufficient. Nor was it consistent with two fundamental obligations arising from the Vienna Convention on Diplomatic Relations (1961) and the Vienna Convention on Consular Relations (1963), namely, that the receiving State shall take all appropriate steps to, first, protect the consular post against any disturbance of the peace or impairment of its dignity and, second, prevent any attack on the person or dignity of its employees (Vienna Convention on Consular Relations (1963), articles 31.3 and 40). Those principles are upheld in General Assembly resolution 67/94, which affirms that States should take adequate measures to prohibit illicit activities on their territories.

- Despite having the relevant information, the Saudi authorities did not notify the Syrian side of the outcome of the investigations into the attacks.

- The letter of the Permanent Representative of Saudi Arabia states that Syrian consular employees in Jeddah or their representatives were summoned to make statements to the Saudi security authorities regarding the events. However, the two Vienna Conventions provide that individuals who enjoy diplomatic immunity shall not be compelled to give evidence. Indeed, that request is unjustified, as the memorandums sent by the Syrian Consulate in Jeddah to the Saudi Ministry of Foreign Affairs provide a detailed account of every attack and the names of the perpetrators, most of whom were caught in the act by Saudi diplomatic security officers.

With regard to the two incidents involving the Saudi Embassy in Damascus, we should like to emphasize the following:

- The Syrian Government met in full all its obligations with regard to the two incidents involving the Saudi Embassy in Damascus: the Syrian authorities provided protection for the Embassy and prevented any attack on it. The pertinent Syrian parties removed by force from the Embassy building those who had assaulted it and arrested the person who had pulled down the Saudi flag, handing him over to the Armus police department. Tear gas was used to disperse the crowd. The Saudi side was not informed of the outcome of the investigations because it has closed its Embassy and Consulate in Damascus.

- The Syrian Government is committed to shouldering its international responsibilities under the Vienna Convention on Diplomatic Relations and the Vienna Convention on Consular Relations. The proper Syrian authorities have established a committee in order to establish, in consultation with the Saudi Embassy, the damage caused to the Saudi Embassy in Damascus; however, that Embassy has refused to cooperate with the Syrian authorities in that regard.

- The proper Syrian authorities continue to meet their obligations under international law and provide protection for, and prevent any attacks on, the Saudi Embassy and Consulate in Damascus, albeit those offices have been closed.

- Lastly, the Government of the Syrian Arab Republic confirms the information which it supplied to the Secretary-General of the United Nations on 17 May 2012 concerning the attack on the Syrian Consulate in Jeddah and would like to clarify, in that regard, that the note which the Syrian Consulate in Jeddah addressed to the relevant Saudi authorities, in which it expressed appreciation for the role played by the Saudi diplomatic security corps in the usual diplomatic terms, also included a request that the Saudi authorities should inform it of the outcome of the investigations into the attack on the Consulate. That request has not been met.

- The Permanent Mission of the Syrian Arab Republic would be grateful if you would have the present letter circulated as a document of the General

Assembly, under agenda item 81, and ensure that it is referenced in the report of the Secretary-General on that item.[6]

11. **Saudi Arabia** (23 January 2014) reported the following violation against a member of the Saudi Arabian diplomatic service in the Islamic Republic of Iran:

> The diplomatic agent, Yasser bin Mohammed Al-Qarni, attaché with the Saudi Arabian Embassy in Tehran who enjoys diplomatic immunity as a member of the mission, was involved in a motor vehicle accident on 14 March 2013. Mr. Qarni's diplomatic immunity was violated by competent Iranian authorities, which subjected him to medical tests, inflamed public opinion against him, and continuously monitored his residence. When Mr. Qarni went to the airport about seven days after the mentioned accident, the Iranian authorities confiscated his diplomatic passport and informed him that he was banned from leaving the country and must contact the Foreign Affairs Department of the Iranian Foreign Ministry. The Iranian Foreign Ministry has refused to return Mr. Qarni's diplomatic passport and insisted on revoking his diplomatic immunity. After vigorous attempts from the side of the Saudi Embassy in Tehran, and its persistence in maintaining the diplomatic immunity enjoyed by Mr. Al-Qarni, he was handed his passport after approximately two months from the incident, and was allowed to leave the Iranian territories on 24 September 2013. We would like to mention that all that Mr. Qarni endured, since the motor vehicle accident in which he was involved, constitutes a breach of the provisions of article 29 of the Vienna Convention on Diplomatic Relations, and a clear violation of the diplomatic immunity to which the host country should be committed.

12. **The Islamic Republic of Iran** (27 January 2014) submitted the following information concerning incidents involving members of the Embassy of the Islamic Republic of Iran in Sana'a, Yemen (21 July 2013 and 18 January 2014) and the Embassy of the Islamic Republic of Iran in Beirut, Lebanon (19 November 2013):

> On 21 July 2013, in the city of Sana'a, Yemen, Mr. Ahmad Nikbakht, a member of the staff of the Embassy of the Islamic Republic of Iran in Sana'a, was abducted by armed terrorists and moved to an unknown location. The identity of the terrorists is still unknown and they have made no contact after the abduction. In spite of the efforts to secure Mr. Nikbakht's release from his armed kidnappers, no further development has occurred to date, which is a matter of serious concern for the Government of the Islamic Republic of Iran. A separate letter in this regard dated 13 August 2013 was already circulated as a document of the General Assembly (A/67/955).
>
> On 19 November 2013, a terrorist attack, organized and carried out by an extremist terrorist group linked to Al-Qaida, known and identified as Abdullah Azzam Brigades under the command of the deceased Majed al-Majed, a national of Saudi Arabia, targeted the Embassy of the Islamic Republic of Iran in Beirut, Lebanon. This terrorist act claimed the lives of dozens of innocent Lebanese civilians and members of the staff of the Embassy, and damaged the surrounding areas, including the Iranian diplomatic premises in Beirut. The late Mr. [illegible]rahim Ansari, then cultural attaché of the Embassy, the wife of a diplomatic member and three local staff of the Embassy were among the

[6] A/67/843.

victims. The Embassy of the Islamic Republic of Iran in Beirut has been in close contact and cooperation with the Lebanese authorities to prevent the recurrence of such terrorist acts and bring the perpetrators to justice. It is worth mentioning that a press statement was issued by the Security Council on the same day to condemn the incident and to underline the need to bring the perpetrators to justice.

On 18 January 2014, a heinous terrorist attack targeted a diplomatic member of the Embassy of the Islamic Republic of Iran in Sana'a, Yemen. This terrorist act claimed the life of Abolghassem Asadi, who was on his way back to the office. The Government of the Republic of Yemen has been duly notified of the serious concerns of the Government of the Islamic Republic of Iran, which has asked the former to undertake its utmost efforts to prevent the recurrence of such atrocities by terrorists and bring the perpetrators to justice.

The Permanent Mission of the Islamic Republic of Iran to the United Nations wishes to request that the present letter be circulated as a document of the General Assembly under agenda item 81.[7]

13. **Qatar** (5 April 2013), the **Philippines** (2 May 2013) and **Finland** (15 May 2014) reported that there had been no violations on their respective territories during the reporting period.

III. Views expressed by States pursuant to paragraph 12 of General Assembly resolution 67/94

14. **El Salvador** (21 April 2014) expressed the following views:

The Republic of El Salvador submits this report in reference to resolution 67/94, in which States were requested to submit their views with respect to "any measures needed or already taken to enhance the protection, security and safety of diplomatic and consular missions and representatives as well as missions and representatives with diplomatic status to international intergovernmental organizations".

With regard to the matter in question, the Republic of El Salvador, as a State party to the Vienna Convention on Diplomatic Relations, stresses the importance of article 22.2 of that Convention, which states that: "The receiving State is under a special duty to take all appropriate steps to protect the premises of the mission against any intrusion or damage and to prevent any disturbance of the peace of the mission or impairment of its dignity".

On the basis of that provision, El Salvador has procedures in place to ensure the protection of diplomatic and consular representatives. Generally, at the request of a diplomatic mission, international organization or their accredited officials in the country, the Ministry of Foreign Affairs, through the Directorate-General of Protocol and Honours, is able to instruct the VIP Protection Division of the National Civil Police of El Salvador to provide round-the-clock protection. In addition, internal practice indicates that it is possible to apply to the VIP Protection Division directly for protection.

[7] A/69/64.

As reported at previous sessions, the level of protection afforded may vary according to the specific requests made by diplomats or international organizations; however, it should be noted that the National Civil Police of El Salvador has the organizational structure in place to meet any needs that may arise.

This is a key point, since guaranteeing the security and safety of diplomatic missions and their representatives is a duty of all States, with a view to ensuring that diplomats can carry out their functions effectively in the country in which they are accredited and, above all, guaranteeing respect for their human rights, including their right to life, to personal integrity and to freedom.

To date, the records prove that all submitted requests have been met and that the requested security and protection measures were provided by the Salvadoran authorities. In addition, the National Civil Police has been made aware of all cases in which diplomats, their premises and international organizations have been the targets of crime, so that a proper investigation can be launched and any necessary legal action brought before the competent authorities.

15. **Gabon** (6 May 2014) expressed the following views:

This contribution was prepared pursuant to paragraph 12 of General Assembly resolution 67/94, by which the Secretary-General invites States to inform him of their views on measures taken to enhance the protection, security and safety of diplomatic and consular missions and representatives with diplomatic status to international intergovernmental organizations.

Owing to certain incidents that occurred in Gabon concerning the security and safety of diplomatic and consular staff as well as the inviolability of their property, it was imperative to reaffirm the principles of international law on diplomatic and consular relations and to establish new modalities for their application, in order to put an end to these violations.

The Gabonese Government would first like to reaffirm the crucial importance of providing effective protection for diplomatic and consular staff in the conduct of international relations. The privileges and immunities enjoyed by diplomatic and consular staff and facilities provide a crucial safeguard against various challenges and pressures. Gabon is of the view that these privileges and immunities, which are designed to facilitate contact, are mutually beneficial to all States.

In this regard, the obligation to ensure the personal security and safety of staff is of utmost importance to the Gabonese Government, which is now ready to participate in any efforts aimed at strengthening the right to protection, security and safety of diplomatic and consular staff. Gabon is also of the view that host States must strictly observe and enforce the provisions of international law relating to diplomatic and consular relations, because they have a responsibility to protect diplomatic and consular staff and missions against any persons, groups or organizations that seek to threaten their security and safety.

This message, which is endorsed by Gabon and is regularly reaffirmed by the international community, is a reminder of the absolute obligation that all States have to ensure that diplomatic and consular relations are free from pressures on both people and property.

The contribution of Gabon to the Secretary-General's report is based on an interministerial study led by a working group comprising experts from the Ministries of Foreign Affairs, the Interior and Defence, which has highlighted the urgent need to take measures to provide security for accredited diplomatic missions and consular posts in Gabon and their respective officials.

This working group, co-chaired by the heads of the National Gendarmerie and the National Police Force, came to the conclusion that a security apparatus should be set up to protect diplomatic agents and premises.

The security apparatus, which has already been adopted by the Council of Ministers, will be implemented gradually through short-, medium- and long-term measures.

In the short term, a special security apparatus will be set up, whereby three agents on average will be posted to each site (chancellery and residence) in accordance with a pre-established set-up. The Government is aware, however, that additional security will be required for at-risk embassies.

To ensure that this measure is effective, a coordination unit will be established to prepare monthly reports on the operation of the security apparatus. It will also organize meetings to raise awareness of the provisions of the Vienna Convention on Diplomatic Relations, in order to facilitate interactions between staff and diplomatic personnel, and to ensure the implementation of security measures.

A mechanism for timely and concerted communication between the three ministries will also be set up to ensure that investigations into any type of security threat to diplomatic and consular missions or their representatives are brought to a rapid conclusion. Two focal points will be designated by each ministry to implement the mechanism.

In the medium and long term, the working group proposes to initiate discussions on the possibility of establishing special preventive security units, which could eventually be converted into a diplomatic police force. The group also suggests that an urban area be set aside exclusively for diplomatic and consular premises.

16. **Finland** (15 May 2014) expressed the following views:

The Finnish authorities wish to assure the Secretary-General that they continue to take all appropriate measures to ensure the protection, security and safety of diplomatic and consular missions and representatives. Furthermore, Finland wishes to emphasize the importance of close cooperation in security matters not only at the international level, but also nationally between the missions and the competent local authorities.

17. **Qatar** (5 April 2013), the **Philippines** (2 May 2013), **El Salvador** (21 April 2014), **Gabon** (6 May 2014) and **Finland** (15 May 2014) reported on the measures taken to enhance the protection, security and safety of diplomatic and consular missions and representatives as well as missions and representatives with diplomatic status to international intergovernmental organizations on their respective territories.[8]

IV. Status of participation in international conventions pertaining to the protection, security and safety of diplomatic and consular missions and representatives as at 10 June 2014

18. Each instrument listed below is represented in tables 1 and 2 by the letter shown on the left in the list.

A. Vienna Convention on Diplomatic Relations of 1961 (signed at Vienna on 18 April 1961; entered into force on 24 April 1964, in accordance with article 51);

B. Optional Protocol to the Vienna Convention on Diplomatic Relations concerning Acquisition of Nationality of 1961 (signed at Vienna on 18 April 1961; entered into force on 24 April 1964, in accordance with article VI);

C. Optional Protocol to the Vienna Convention on Diplomatic Relations concerning the Compulsory Settlement of Disputes of 1961 (signed at Vienna on 18 April 1961; entered into force on 24 April 1964);

D. Vienna Convention on Consular Relations of 1963 (signed at Vienna on 24 April 1963; entered into force on 19 March 1967, in accordance with article 77);

E. Optional Protocol to the Vienna Convention on Consular Relations concerning Acquisition of Nationality of 1963 (signed at Vienna on 24 April 1963; entered into force on 19 March 1967);

F. Optional Protocol to the Vienna Convention on Consular Relations concerning the Compulsory Settlement of Disputes of 1963 (signed at Vienna on 24 April 1963; entered into force on 19 March 1967);

G. Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, of 1973 (adopted by the General Assembly of the United Nations on 14 December 1973; entered into force on 20 February 1977).

[8] For the relevant parts of the reports, see the website of the Sixth Committee of the General Assembly (www.un.org/ga/sixth): sixty-ninth session; "Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives"; full texts of the replies.

Table 1

Total participation in international conventions pertaining to the protection, security and safety of diplomatic and consular missions and representatives

Signature, succession to signature						
A	B	C	D	E	F	G
60	18	29	48	19	38	25

Ratification, accession or succession						
A	B	C	D	E	F	G
190	51	69	177	40	50	176

Table 2

Status of participation in international conventions pertaining to the protection, security and safety of diplomatic and consular missions and representatives

	Signature, succession to signature							*Ratification, accession or succession*						
State	*A*	*B*	*C*	*D*	*E*	*F*	*G*	*A*	*B*	*C*	*D*	*E*	*F*	*G*
Afghanistan								A						G
Albania	A							A			D			G
Algeria								A			D			G
Andorra								A			D			G
Angola								A			D			
Antigua and Barbuda											D			G
Argentina	A	B		D		F		A	B		D			G
Armenia								A			D			G
Australia	A			D			G	A		C	D		F	G
Austria	A		C	D		F		A		C	D		F	G
Azerbaijan								A			D			G
Bahamas								A		C	D			G
Bahrain								A			D			G
Bangladesh								A			D			G
Barbados								A			D			G
Belarus	A						G	A			D			G
Belgium	A		C	D		F		A	B	C	D	E	F	G

State	Signature, succession to signature							Ratification, accession or succession						
	A	B	C	D	E	F	G	A	B	C	D	E	F	G
Belize								A			D			G
Benin				D		F		A			D			G
Bhutan								A			D			G
Bolivia (Plurinational State of)				D				A			D			G
Bosnia and Herzegovina					E	F		A	B	C	D			G
Botswana								A	B	C	D	E	F	G
Brazil	A			D	E			A			D			G
Brunei Darussalam								A			D			G
Bulgaria	A						G	A		C	D	E	F	G
Burkina Faso				D		F		A			D		F	G
Burundi								A						G
Cambodia								A	B	C	D			G
Cameroon				D	E	F		A			D			G
Canada	A						G	A			D			G
Cabo Verde								A			D			G
Central African Republic	A	B	C	D		F		A	B	C				G
Chad								A						
Chile	A			D		F		A			D			G
China								A			D			G
Colombia	A		C	D	E	F		A			D			G
Comoros								A						G
Congo				D	E	F		A						
Cook Islands														
Costa Rica	A			D				A		C	D			G
Côte d'Ivoire				D		F		A						G
Croatia								A			D			G
Cuba	A			D				A			D			G

State	Signature, succession to signature							Ratification, accession or succession						
	A	*B*	*C*	*D*	*E*	*F*	*G*	*A*	*B*	*C*	*D*	*E*	*F*	*G*
Cyprus								A			D			G
Czech Republic								A			D			G
Democratic People's Republic of Korea								A			D			G
Democratic Republic of the Congo	A			D	E	F		A	B	C	D			G
Denmark	A	B	C	D	E	F	G	A	B	C	D	E	F	G
Djibouti								A			D			G
Dominica								A		C	D			G
Dominican Republic	A	B	C	D	E	F		A	B	C	D	E	F	G
Ecuador	A		C	D			G	A		C	D			G
Egypt								A	B		D	E		G
El Salvador								A			D			G
Equatorial Guinea								A			D			G
Eritrea								A			D			
Estonia								A	B	C	D	E	F	G
Ethiopia								A						G
Fiji								A		C	D			G
Finland	A	B	C	D	E	F	G	A	B	C	D	E	F	G
France	A		C	D		F		A		C	D		F	G
Gabon				D		F		A	B	C	D	E	F	G
Gambia								A			D			
Georgia								A			D			G
Germany	A	B	C	D	E	F	G	A	B	C	D	E	F	G
Ghana	A	B	C	D	E	F		A			D	E		G
Greece	A							A			D			G
Grenada								A			D			G
Guatemala	A						G	A			D			G
Guinea								A	B	C	D			G

State	Signature, succession to signature							Ratification, accession or succession						
	A	*B*	*C*	*D*	*E*	*F*	*G*	*A*	*B*	*C*	*D*	*E*	*F*	*G*
Guinea-Bissau								A						G
Guyana								A			D			G
Haiti								A			D			G
Holy See	A			D				A			D			G
Honduras								A			D			G
Hungary	A						G	A		C	D		F	G
Iceland							G	A	B	C	D	E	F	G
India								A	B	C	D	E	F	G
Indonesia								A	B		D	E		
Iran (Islamic Republic of)	A	B	C	D				A	B	C	D	E	F	G
Iraq	A	B	C					A	B	C	D	E		G
Ireland	A		C	D		F		A			D			G
Israel	A		C	D				A						G
Italy	A	B	C	D	E	F	G	A	B	C	D	E	F	G
Jamaica								A			D			G
Japan	A		C					A		C	D		F	G
Jordan								A			D			G
Kazakhstan								A			D			G
Kenya								A	B	C	D	E	F	G
Kiribati								A			D			G
Kuwait				D	E	F		A		C	D			G
Kyrgyzstan								A			D			G
Lao People's Democratic Republic								A	B	C	D	E	F	G
Latvia								A			D			G
Lebanon	A	B	C	D		F		A			D			G
Lesotho								A			D			G
Liberia	A			D	E	F		A	B	C	D			G

State	Signature, succession to signature							Ratification, accession or succession						
	A	*B*	*C*	*D*	*E*	*F*	*G*	*A*	*B*	*C*	*D*	*E*	*F*	*G*
Libya								A	B		D			G
Liechtenstein	A		C	D		F		A		C	D		F	G
Lithuania								A		C	D		F	G
Luxembourg	A		C	D		F		A		C	D		F	G
Madagascar								A	B	C	D	E	F	G
Malawi								A	B	C	D	E	F	G
Malaysia								A	B	C	D			G
Maldives								A			D			G
Mali								A			D			G
Malta								A		C	D			G
Marshall Islands								A			D			G
Mauritania								A			D			G
Mauritius								A		C	D		F	G
Mexico	A			D				A			D		F	G
Micronesia (Federated States of)								A			D			G
Monaco								A			D			G
Mongolia							G	A			D			G
Montenegro					E	F		A	B	C	D			G
Morocco								A	B		D	E		G
Mozambique								A			D			G
Myanmar								A	B		D			G
Namibia								A			D			
Nauru								A		C	D	E		G
Nepal								A	B	C	D	E	F	G
Netherlands								A	B	C	D	E	F	G
New Zealand	A		C					A	B	C	D	E	F	G
Nicaragua							G	A	B	C	D	E	F	G

State	Signature, succession to signature							Ratification, accession or succession						
	A	B	C	D	E	F	G	A	B	C	D	E	F	G
Niger				D		F		A	B	C	D	E	F	G
Nigeria	A							A			D			G
Niue														G
Norway	A	B	C	D	E	F	G	A	B	C	D	E	F	G
Oman								A	B	C	D	E	F	G
Pakistan	A							A		C	D		F	G
Palau														G
Panama	A			D	E	F		A	B	C	D	E	F	G
Papua New Guinea								A			D			G
Paraguay							G	A	B	C	D	E	F	G
Peru				D		F		A			D		F	G
Philippines	A	B	C	D		F		A	B	C	D	E	F	G
Poland	A			D			G	A			D			G
Portugal								A			D			G
Qatar								A			D			G
Republic of Korea	A	B	C					A	B	C	D	E	F	G
Republic of Moldova								A			D			G
Romania	A						G	A		C	D		F	G
Russian Federation	A						G	A			D			G
Rwanda							G	A			D			G
Saint Kitts and Nevis								A			D			G
Saint Lucia								A			D			G
Saint Vincent and the Grenadines								A			D			G
Samoa								A			D			
San Marino	A							A						
Sao Tome and Principe								A			D			G
Saudi Arabia								A			D			G

State	Signature, succession to signature							Ratification, accession or succession						
	A	B	C	D	E	F	G	A	B	C	D	E	F	G
Senegal	A	B						A			D	E	F	G
Serbia					E	F		A	B	C	D			G
Seychelles								A		C	D		F	G
Sierra Leone								A						G
Singapore								A			D			G
Slovakia								A		C	D		F	G
Slovenia								A		C	D			G
Solomon Islands														
Somalia								A			D			
South Africa	A							A			D			G
South Sudan														
Spain								A		C	D		F	G
Sri Lanka	A							A	B	C	D			G
State of Palestine								A			D			
Sudan								A			D			G
Suriname								A	B	C	D	E	F	
Swaziland								A						G
Sweden	A	B	C	D	E	F	G	A	B	C	D	E	F	G
Switzerland	A		C	D		F		A	B	C	D	E	F	G
Syrian Arab Republic								A			D			G
Tajikistan								A			D			G
Thailand	A	B						A	B		D	E		G
The former Yugoslav Republic of Macedonia								A	B	C	D			G
Timor-Leste								A			D			
Togo								A			D			G
Tonga								A			D			G
Trinidad and Tobago								A			D			G

State	Signature, succession to signature							Ratification, accession or succession						
	A	B	C	D	E	F	G	A	B	C	D	E	F	G
Tunisia							G	A	B		D	E		G
Turkey								A			D			G
Turkmenistan								A			D			G
Tuvalu								A			D			
Uganda								A						G
Ukraine	A						G	A			D			G
United Arab Emirates								A			D			G
United Kingdom of Great Britain and Northern Ireland	A		C	D		F	G	A		C	D		F	G
United Republic of Tanzania	A	B	C					A	B	C	D			
United States of America	A		C	D			G	A		C	D			G
Uruguay	A			D		F		A			D			G
Uzbekistan								A			D			G
Vanuatu											D			
Venezuela (Bolivarian Republic of)	A			D				A			D			G
Viet Nam								A			D			G
Yemen								A			D			G
Zambia								A						
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Sixty-ninth session
Item 67 (a) of the provisional agenda*
Elimination of racism, racial discrimination, xenophobia and related intolerance

Progress report of the High Commissioner for Human Rights on the realignment of work and name of the Anti-Discrimination Unit

Report of the Office of the United Nations High Commissioner for Human Rights

Summary

The present report is submitted in accordance with General Assembly resolution 68/151, section III, paragraph 10. It provides clarification on the name and activities of the Anti-Racial Discrimination Section of the Office of the United Nations High Commissioner for Human Rights.

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I. Introduction

1. In its resolution 68/151, the General Assembly recalled Human Rights Council resolution 6/22, in which the Council decided to realign and change the name of the Anti-Discrimination Section to more clearly reflect the focus of its activities, and called upon the United Nations High Commissioner for Human Rights to implement the realignment and to submit a progress report thereon to the Assembly at its sixty-ninth session.

2. In accordance with resolution 68/151, the present report provides clarification on the establishment, name and activities of the Anti-Racial Discrimination Section of the Office of the United Nations High Commissioner for Human Rights (OHCHR).

3. In paragraph 191 (c) of the Durban Declaration and Programme of Action, adopted at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance on 8 September 2001, the World Conference

> welcome[d] the intention of the United Nations High Commissioner for Human Rights to establish, within the Office of the High Commissioner for Human Rights, an anti-discrimination unit to combat racism, racial discrimination, xenophobia and related intolerance and to promote equality and non-discrimination, and invite[d] her to consider the inclusion in its mandate of, inter alia, the compilation of information on racial discrimination and its development, and on legal and administrative support and advice to victims of racial discrimination and the collection of background materials provided by States, international, regional and non-governmental organizations and national human rights institutions under the follow-up mechanism of the Conference.

4. Following the World Conference, the High Commissioner for Human Rights established within her Office an anti-discrimination unit to combat racism, racial discrimination, xenophobia and related intolerance and to promote equality and non-discrimination. The name of the unit was shortened to the Anti-Discrimination Unit.

5. The Commission on Human Rights, in paragraph 13 of its resolution 2002/68, welcomed the establishment of the Anti-Discrimination Unit.

6. In accordance with the established United Nations structure of departments, the Anti-Discrimination "Unit" now falls within the category of a section and is placed in the Rule of Law, Equality and Non-Discrimination Branch of OHCHR. The section focuses on combating racism, racial discrimination, xenophobia and related intolerance. In 2014 the High Commissioner aligned the name of the section with its actual role within OHCHR, changing the name to the Anti-Racial Discrimination Section.

II. Activities of the Anti-Racial Discrimination Section

7. The Anti-Racial Discrimination Section in the Office of the High Commissioner for Human Rights builds national capacity to eliminate racism, racial discrimination, xenophobia and related intolerance by providing advisory services; conducts research and analysis on racism, racial discrimination, xenophobia and related intolerance; provides substantive and secretariat services to intergovernmental

and expert mechanisms addressing the situation of victim groups; and engages with the wider community, forging partnerships, raising awareness and mobilizing support for anti-discrimination measures as reflected in the Durban Declaration and Programme of Action, such as legislation, policies and programmes.

A. Advisory services and technical assistance to eliminate racism, racial discrimination, xenophobia and related intolerance through national action plans, legislation, policies and programmes

8. The Anti-Racial Discrimination Section continues to provide technical advice to Member States on the formulation of policies and programmes, including national plans of action to eradicate racial discrimination and promote equality, and in the review of relevant anti-discrimination legislation. The Anti-Racial Discrimination Section also prepares tools to assist stakeholders to counter racial discrimination and related intolerance.

9. In 2014, OHCHR published *Developing National Action Plans Against Racial Discrimination: A Practical Guide*[1] to assist States and all relevant stakeholders in giving effect to the International Convention on the Elimination of All Forms of Racial Discrimination, the Durban Declaration and Programme of Action and the outcome document of the Durban Review Conference.

10. In 2013 and 2014, the Anti-Racial Discrimination Section provided technical assistance to several countries on measures to combat racism, racial discrimination, xenophobia and related intolerance, including Armenia, Belarus, Benin, Bolivia, Burkina Faso, Costa Rica, Georgia, Guinea, Indonesia, Mauritania, Mexico, Nigeria, Panama, the Republic of Moldova, the Russian Federation and Ukraine. Examples of these activities are given below.

11. The Anti-Racial Discrimination Section provided comments on the draft anti-discrimination law of Armenia and the draft law of Georgia on the elimination of all forms of discrimination. The Anti-Discrimination Section organized a workshop in Minsk entitled "Promoting equality and combating racial discrimination and related intolerance". The event was organized with the assistance of the United Nations Development Programme (UNDP) in Minsk, the Ministry of Foreign Affairs of Belarus and the Permanent Mission of Belarus to the United Nations Office at Geneva. Representatives of various ministries attended the event. The workshop enhanced the participants' understanding of human rights norms and practices with regard to combating racism, racial discrimination, xenophobia and related intolerance.

12. The Anti-Racial Discrimination Section organized a two-day conference and a workshop entitled "Equality and non-discrimination: implementing legislation and policies" in Kiev. The event was organized with the support of the Ukrainian authorities, the OHCHR Human Rights Adviser in Kiev and the Ukrainian Parliamentary Commissioner for Human Rights. The events were attended by representatives of the Ministries of Justice and the Interior, the Office of the Ukrainian Parliamentary Commissioner for Human Rights and international and civil society organizations.

[1] United Nations publication, Sales No. E.13.XIV.3.

13. In Chisinau, the Anti-Racial Discrimination Section assisted the Human Rights Adviser in the Republic of Moldova to organize four trainings for judges and prosecutors on international and regional human rights standards and practices with regard to equality and non-discrimination, including racism, racial discrimination, xenophobia and related intolerance. In response to a request by the Minister of Justice, the OHCHR Human Rights Adviser, with the support of the Anti-Racial Discrimination Section, organized four trainings on anti-discrimination legislation for judges and prosecutors. Moreover, a training module on anti-discrimination legislation was developed that can be used for similar trainings in other countries.

14. At the request of the Federal Commissioner for Human Rights and the Council of Regional Commissioners of the Russian Federation, the Anti-Racial Discrimination Section, together with the OHCHR Senior Human Rights Adviser in Moscow, organized a workshop in 2013 on promoting equality and preventing and combating discrimination for focal points on non-discrimination in the ombudsman's offices in the Russian Federation. Federal and regional commissioners for human rights in the Russian Federation participated in the event.

15. In Guinea, the Anti-Racial Discrimination Section organized a workshop for 50 media representatives in Conakry. The purpose of the workshop was to raise awareness on the Durban Declaration and Programme of Action, with a particular focus on the role of media in promoting tolerance and combating racism, racial discrimination, xenophobia and related intolerance. The workshop participants also critically reviewed the existing code of conduct in the context of the provisions of the Durban Declaration and Programme of Action.

16. In Nigeria, the Anti-Racial Discrimination Section supported the National Human Rights Commission and the Ministry of Justice in organizing broad-based national consultations for the development of a national action plan against racial discrimination to be integrated into the National Action Plan for the Promotion and Protection of Human Rights.

17. In Costa Rica, the Regional Office for Central America, together with the Anti-Racial Discrimination Section, supported the development of a national action plan against racism and racial discrimination and facilitated numerous meetings with people of African descent, indigenous peoples and migrant and refugee communities across the country with a view to providing space for dialogue and participation. The staff of the Inter-Institutional Commission in charge of the elaboration of the action plan was also trained.

18. In 2013, the Anti-Racial Discrimination Section, in collaboration with the Consejo Nacional para Prevenir la Discriminación (CONAPRED) of Mexico, supported the elaboration of the new National Action Plan against Racism and Racial Discrimination for the period from 2014 to 2018.

19. In January 2014, the Anti-Racial Discrimination Section organized a workshop on combating discrimination and promoting equality and social cohesion in Jakarta for the States members of the Association of Southeast Asian Nations (ASEAN), and supported national and regional efforts in that regard. The workshop enhanced the capacity of over 70 government officials from ASEAN countries and representatives of the ASEAN Intergovernmental Commission on Human Rights, national institutions and civil society in the region to effectively address issues related to discrimination; cooperation between OHCHR and ASEAN was strengthened.

20. In September 2013, OHCHR launched the database on practical means to combat racism, racial discrimination, xenophobia and related intolerance. The OHCHR anti-discrimination database (http://adsdatabase.ohchr.org/SitePages/Anti-discrimination%20database.aspx), created by the Anti-Racial Discrimination Section, contains a compilation of more than 1,500 records based on information received and collected from about 100 States in all the geographical regions. The database includes legal documents, advice, legal precedents and acquired knowledge along with concrete measures to counter racial discrimination and xenophobia. A unique tool with global coverage and practical measures taken at the international, regional and national levels, the database assists Member States and other stakeholders to increase their knowledge about and capacity to fight against racial discrimination and xenophobia.

21. After extensive research in 2013, the Anti-Racial Discrimination Section prepared a one-page fact sheet on xenophobia, which was used as a resource for various trainings and expert meetings.

22. The Anti-Racial Discrimination Section is finalizing a guidance note titled "National mechanisms for promotion, protection and monitoring with regard to combating racism, racial discrimination, xenophobia and related intolerance". The guidance note focuses on both policy and programmatic aspects of establishing or strengthening national mechanisms to deal with racism, racial discrimination, xenophobia and related intolerance.

23. The Anti-Racial Discrimination Section is finalizing a publication entitled *People of African Descent and the Right to Development: Putting Rights into Practice*. It is a practical guide for United Nations agencies as well as States and civil society working together with people of African descent around the world to enable them to realize their right to development. It includes an analysis of historical experiences and contemporary situations of people of African descent; relevant legal and policy instruments that have contributed to the emergence of norms at the national, regional and international levels; and practical examples and tools derived from development programmes and initiatives concerning people of African descent. The publication aims to raise awareness for stakeholders about the rights of people of African descent and enable them to plan, design, implement and monitor relevant, adequate and participatory development programmes.

24. The Anti-Racial Discrimination Section is developing an online training tool for media professionals, in accordance with the Durban Declaration and Programme of Action. The tool aims to enhance the positive role of media in promoting tolerance and combating xenophobia and other discriminatory phenomena such as hate speech. It will draw on worldwide good practice in promoting equality and social cohesion.

B. Servicing intergovernmental and expert mechanisms addressing the situation of victim groups

25. The Anti-Racial Discrimination Section services the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action. As the secretariat of the Intergovernmental Working Group, the Section consistently endeavours to achieve positive results by working with the various regional groups as well as the Chairperson of the Intergovernmental

Working Group, Ambassador Mohamed Siad Douale (Djibouti), to reach understanding on the topics to be discussed at each session and in the organization of the sessions. The High Commissioner's visible involvement and participation in events at the Intergovernmental Working Group constitutes important leverage for facilitating consensus on critical issues.

26. The Intergovernmental Working Group is one of the key mechanisms established under the Durban review process; it is designed to provide a forum for Member States to discuss and build consensus on measures to prevent and combat racism, racial discrimination, xenophobia and related intolerance. The Intergovernmental Working Group has committed itself to:

(a) Ensuring that its recommendations are consistent with the provisions of the Durban Declaration and Programme of Action and the outcome document of the Durban Review Conference. In this regard, the Intergovernmental Working Group allocates sufficient time during its sessions for Member States and other stakeholders, including regional organizations, civil society, national human rights institutions and indigenous peoples, to share their experiences, including on good practices, implementation of the International Convention on the Elimination of All Forms of Racial Discrimination, the Durban Declaration and Programme of Action and the outcome document of the Durban Review Conference;

(b) Undertaking measures, with the assistance of OHCHR, to increase awareness on its recommendations and other relevant reports and studies by human rights mechanisms at the level of the Human Rights Council in order to enhance the effective implementation of the recommendations of the Intergovernmental Working Group and facilitate follow-up activities;

(c) Increasing efforts to complement the work of other measures to follow up the outcomes of the Durban conferences, aware of the need to avoid overlapping and/or duplicating initiatives; in this regard, the Intergovernmental Working Group invites experts, in particular the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, to participate in interactive discussions with the Working Group;

(d) Remaining focused throughout its work and addressing three themes per session, enabling the International Working Group to analyse the complex nature of the themes and adopt action-oriented recommendations;

(e) Achieving better coordination and ensuring synergy with other human rights mechanisms, in particular the Working Group of Experts on People of African Descent, by identifying, in particular, common themes for the respective sessions of each working group.

27. The Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action discusses important substantive topics at each of its sessions. For instance, the programme of work of the twelfth session (7-17 April 2014) was dedicated to elaborating a programme of activities for the implementation of the International Decade for People of African Descent, to commence on 1 January 2015, drawing upon the draft programme of action for the International Decade (A/HRC/21/60/Add.2) elaborated by the Working Group of Experts on People of African Descent at its eleventh session and the report of the Secretary-General on how to make the International Decade for People of African Descent effective (A/67/879). The draft programme of activities (see HRC/26/55)

identifies objectives and concrete activities to be conducted at the national, regional and international levels during the International Decade.

28. At previous sessions the Intergovernmental Working Group has thoroughly discussed and adopted important conclusions and action-oriented recommendations on issues such as the role of sport, education and politicians and political parties in combating racism, racial discrimination, xenophobia and related intolerance; equal participation in decision-making processes in the fight against racism; women and racism; good practices; and experiences in the evaluation and monitoring of the situation of women, among other important topics.

29. The Anti-Racial Discrimination Section also services the Working Group of Experts on People of African Descent. From January 2013 to May 2014, the Working Group held two open/public sessions and one closed session. The twelfth session (22-26 April 2013) focused on the theme "Recognition through education, cultural rights and data collection". At the thirteenth session (18-22 November 2013), the experts focused on their internal working procedures and on communications. The fourteenth session (31 March-4 April 2014) focused on the theme "People of African descent: access to justice".

30. In cooperation with the United Nations Office at Geneva and the Anti-Racial Discrimination Section, the Working Group engaged with the wider public through a programme of talks entitled "People of African descent: access to justice", which took place at the United Nations Library. During the programme, the Library launched an online resource guide on people of African descent (http://libraryresources.unog.ch/africandescent). The Library hosted an exhibition entitled "People of African descent: recognition, justice, development" from August 2013 to May 2014.

31. The Working Group also carried out country visits to Panama (14-18 January 2013) and Brazil (4-13 December 2013). It submitted a report to the Human Rights Council on its twelfth session and on its country visits to the United Kingdom of Great Britain and Northern Ireland and Panama (A/HRC/24/52 and Add.1 and 2). The Working Group also participated in an interactive dialogue at the Third Committee of the General Assembly at its sixty-eighth session in November 2013.

32. Under its communication procedure, the Working Group sent two allegation letters (to the United States of America and the Dominican Republic) and one joint allegation letter (to the Netherlands), in cooperation with other mandates.

33. The Anti-Racial Discrimination Section also services the Ad Hoc Committee of the Human Rights Council on the Elaboration of Complementary Standards to the International Convention on the Elimination of All Forms of Racial Discrimination. The fifth session of the Ad Hoc Committee took place from 22 July to 2 August 2013. During the session, and further to paragraph 4 of Human Rights Council resolution 21/30, the Committee considered the questionnaire and summary of the responses received from Member States on the three topics of xenophobia; the establishment, designation or maintenance of national mechanisms competent to protect against and prevent all forms and manifestations of racism, racial discrimination, xenophobia and related intolerance; and procedural gaps with regard to the International Convention. In accordance with its programme of work, these topics were also further considered by the Committee with the input of several experts in diverse fields. The Ad Hoc Committee made recommendations on the

three topics, which the Committee will continue to address in the future in addition to two new topics: prevention and awareness-raising, including through human rights education and training in the fight against racism, racial discrimination, xenophobia and related intolerance; and special measures, including affirmative or positive measures, strategies or actions to combat all forms and manifestations of racism; these will be discussed at the Committee's sixth session, to be held in October 2014.

34. In February 2014, the Anti-Racial Discrimination Section organized the third meeting of the Group of independent eminent experts on the implementation of the Durban Declaration and Programme of Action, which had not been able to meet for several years. During the meeting, which was private, the experts discussed their mandate, working methods and future activities.

C. Action to raise awareness and mobilize support for measures to combat racism, racial discrimination, xenophobia and related intolerance as reflected in the Durban Declaration and Programme of Action

35. The Anti-Racial Discrimination Section organizes events annually on 21 March to commemorate the International Day for the Elimination of Racial Discrimination. In 2013, the commemorative event focused on racism in sports, with a special focus on football. Participants at the event included a professional footballer, Kevin-Prince Boateng of AC Milan Football Club; a football administrator, Patrick Vieira of Manchester City Football Club; representatives of the football governing bodies UEFA (Union of European Football Associations) and FIFA (Fédération Internationale de Football Association) and civil society groups, including professional footballers' associations. The event, attended by ambassadors, delegates, United Nations staff and civil society organizations, was the first such gathering to discuss the challenges posed by racism in the sport and how football could be used to combat racism in society. As a result of that event and subsequent engagement by the Anti-Racial Discrimination Section, OHCHR was invited to join the FIFA Task Force against Racism and Discrimination and the Doha Goals Forum and to partner in a global civil society initiative, Global Watch, aimed at addressing racism in sports.

36. The commemoration of the International Day for the Elimination of Racial Discrimination in 2014 focused on the .ole of leaders in mobilizing political will to combat racism and racial discrimination, with the participation of anti-apartheid icons Ahmed Kathrada, Gorge Bizos, Barbara Hogan and Tokyo Sexwale, as well as a member of the European Union Parliament, Emine Bozkurt, and film producer Anant Singh. The event was preceded by the first screening in Europe of the film *Mandela: Long Walk to Freedom* by its producer, Anant Singh.

37. To increase awareness on incitement to discrimination, hostility or violence, in 2013 the Anti-Racial Discrimination Section organized an event in the Palais des Nations in Geneva to launch the Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence. The Rabat Plan of Action is a set of conclusions and recommendations emanating from four regional expert workshops organized by OHCHR in 2011 and addressed to Member States, the United Nations

system, particularly OHCHR, human rights mechanisms, political and religious leaders and civil society, with a view to fostering more effective implementation of the international prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence.

38. On 28 January 2014, the Anti-Racial Discrimination Section organized a panel discussion for the International Day of Commemoration in Memory of the Victims of the Holocaust. The event, organized by OHCHR for the first time, featured an opening address by the High Commissioner.

D. Fellowship Programme for People of African Descent

39. The Fellowship Programme for People of African Descent, organized by the Anti-Racial Discrimination Section, provides the participants with an intensive learning opportunity to deepen their understanding of the United Nations human rights system, instruments and mechanisms, with a focus on issues of particular relevance to people of African descent. The Fellowship Programme allows the participants to better contribute to the protection and promotion of the civil, political, economic, social and cultural rights of people of African descent in their respective countries. A key component of the Fellowship Programme is the in-depth briefings on the various human rights mechanisms dealing with issues pertaining to racism, racial discrimination, xenophobia and related intolerance, including the intergovernmental mechanisms, the special procedures of the Human Rights Council and the Committee on the Elimination of Racial Discrimination.

40. The third Fellowship Programme for People of African Descent took place from 15 April to 3 May 2013, with seven participants from Australia, Costa Rica, France, Panama, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America. The fourth Fellowship Programme took place from 24 March to 11 April 2014, with five fellows from Canada, Colombia, Curaçao (the Netherlands), Sweden and the United States.

III. Conclusion and recommendations

41. **The Anti-Racial Discrimination Section of the Office of the United Nations High Commissioner for Human Rights is specifically tasked with the mandate of furthering the struggle against racism, racial discrimination, xenophobia and related intolerance. In 2014 the United Nations High Commissioner for Human Rights decided to change the name of the section to the Anti-Racial Discrimination Section to better reflect the core activities undertaken and to clarify the particular focus of the Section within the Rule of Law, Equality and Non-Discrimination Branch of OHCHR.**

42. **The prohibition of racial discrimination is enshrined in all core international human rights instruments, placing obligations on States and tasking them with eradicating discrimination in the public and private spheres. In 2001, the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance adopted the Durban Declaration and Programme of Action. In 2009, the Durban Review Conference adopted an outcome document and in 2011 the high-level meeting of the General Assembly**

to commemorate the tenth anniversary of the adoption of the Durban Declaration and Programme of Action adopted a political declaration (General Assembly resolution 66/3). These documents provide a comprehensive international framework to address the scourge of racism and place victims at the centre of the efforts of the international community to prevent, combat and eradicate racism, racial discrimination, xenophobia and related intolerance. OHCHR supports efforts to implement these documents.

43. **OHCHR urges all Member States to take all necessary measures to implement the Durban Declaration and Programme of Action, the outcome document and the political declaration and address the grievances of the past as well as contemporary manifestations of discrimination on the ground of race and ethnicity.**

44. **OHCHR would welcome support from Member States and all relevant stakeholders for ongoing activities to effectively combat racism, racial discrimination and related intolerance.**

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Social development: social development, including questions relating to the world social situation and to youth, ageing, disabled persons and the family

Realization of the Millennium Development Goals and other internationally agreed development goals for persons with disabilities: a disability-inclusive development agenda towards 2015 and beyond

Report of the Secretary-General

Summary

The present report is submitted pursuant to General Assembly resolution 67/140, in which the Assembly requested the Secretary-General to submit a report at its sixty-ninth session on the progress made in mainstreaming disability in the development agenda.

A major development since the sixty-eighth session of the Assembly has been the adoption of the outcome document of the high-level meeting of the General Assembly on the realization of the Millennium Development Goals and other internationally agreed development goals for persons with disabilities, in September 2013, which gives new impetus to the international community to follow a path of development that is inclusive of persons with disabilities.

The present report covers recent initiatives to include disability in development processes, based on information contributed by Governments and entities of the United Nations system, as well as other data available to the Secretariat. While these actions have produced encouraging results, significant shortfalls remain. All stakeholders need to redouble their efforts in order to deliver on the commitments made at the international level. The operationalization of policies at the

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programming level, the full use of the potential of development cooperation for disability mainstreaming and strengthening of the coordination of activities to gather reliable and internationally comparable disability data can lead to rapid progress towards the achievement of internationally agreed development goals for persons with disabilities. The report concludes with recommendations for strengthening efforts in those three key areas.

I. Introduction

1. In its resolution 67/140, the General Assembly expressed its concern about the invisibility of persons with disabilities in the implementation, monitoring and evaluation of the Millennium Development Goals. The resolution stressed the need for the international community to take action, including undertaking measures to collect reliable data and information in order to assess the progress of the Millennium Development Goals and other internationally agreed development goals for persons with disabilities. Furthermore, the resolution welcomed the holding of the high-level meeting on the realization of the Millennium Development Goals and other internationally agreed development goals for persons with disabilities and the contribution that its outcome document would make in mainstreaming disability in the development agenda towards 2015 and beyond. Lastly, the Assembly requested information on the implementation of the resolution, to be submitted to the Assembly at its sixty-ninth session.

2. In accordance with General Assembly resolution 66/124, the Assembly held the high-level meeting, at the level of Heads of State and Government, on 23 September 2013. At the meeting, Member States adopted an action-oriented outcome document entitled "The way forward, a disability-inclusive development agenda towards 2015 and beyond" (resolution 68/3).

3. At this critical juncture, in concluding the Millennium Development Goals and building a post-2015 development agenda, the international community aspires to promote inclusive economic development, social progress and environmental sustainability that would respond to the needs of all people. Building on the existing international framework on disability and development, the outcome document of the high-level meeting has re-energized the commitment to move global efforts towards disability-inclusive development to the next level. Since the early 1980s, the United Nations has been advancing global efforts towards the achievement of disability-inclusive development and a disability-inclusive society, in which persons with disabilities participate, as both agents and beneficiaries, in all aspects of development. The international community is now at a critical point, where it needs to translate this commitment into practical actions and concrete results.

4. The present report provides an overview of ongoing efforts to mainstream disability as an integral part of the global development agenda. The report reviews the extent to which the current work on the post-2015 development framework has addressed and included the rights, well-being and perspectives of persons with disabilities. It also discusses the role of the United Nations in promoting better coordination for disability-inclusive development. The report summarizes the efforts of Member States and entities of the United Nations system, providing specific examples of responsive policies as well as relevant measures that address disability in development policies and programmes. The report concludes with proposals to address continuing gaps between policy and practice and makes recommendations for concrete steps towards a disability-inclusive global development agenda.

II. Current status of disability inclusion in international development frameworks

5. The Millennium Development Goals represent a concerted effort to address global poverty. However, persons with disabilities have not been included nor are they visible in the goals or targets and indicators that operationalize this framework. Although remarkable progress has been made in meeting many of the Millennium Development Goal targets, it is difficult to assess whether and how persons with disabilities have been affected by the implementation of the Millennium Development Goals or benefited from its related activities.[1]

6. Internationally agreed development goals, including the Millennium Development Goals, can be genuinely achieved only if persons with disabilities, and their perspectives, are included in these goals, as well as in targets, analysis, monitoring and evaluation. Through a series of resolutions,[2] the General Assembly has sought urgent action to ensure the realization of internationally agreed development goals, particularly the Millennium Development Goals, for the estimated 1 billion persons globally living with disabilities. At the same time, the international community has augmented its efforts to address the gap between global commitments and practice on the ground through such efforts as the Convention on the Rights of Persons with Disabilities. As the 2015 deadline for the Millennium Development Goals draws closer, global, regional and national efforts to include disability in development processes and practices associated with the Goals have gained momentum.

7. Within mainstream development frameworks, disability has been authenticated as a cross-cutting development issue. It is encouraging to note that the 2013 report entitled "A life of dignity for all: accelerating progress towards the Millennium Development Goals and advancing the United Nations development agenda beyond 2015" (see A/68/202) recommended the inclusion of disability as a cross-cutting issue across the successor set of goals and targets.

8. The United Nations Conference on Sustainable Development launched a process to develop a set of sustainable development goals that would build on the Millennium Development Goals and converge with the post-2015 development agenda. The outcome document of the Conference, entitled "The future we want", includes specific references to disability and accessibility, highlighting the fact that sustainable development requires the participation of persons with disabilities. The document also includes references to the responsibilities of States to respect, protect and promote human rights and fundamental freedoms for all, and to the enhancement of policies that support equal access and equal opportunities with regard to welfare and education as well as sustainable cities and transportation (see resolution 66/288).

9. Through the Open Working Group on Sustainable Development Goals, the intergovernmental process established as a follow-up to the United Nations Conference on Sustainable Development, the international community is building a new global development framework to succeed the Millennium Development Goals. The sustainable development goals are based on a common understanding that there

[1] See A/64/180, A/65/173, A/66/128, A/67/211 and A/68/95.

[2] See resolutions 64/131, 65/186, 66/124, 67/140 and 68/3.

is a need, in any future development framework, to incorporate the fundamental principles of human rights, address the negative impact of inequality on development and emphasize the importance of sustainability. It is promising to observe that, through a twin-track approach, the disability perspective has become more visible in the current work of the Open Working Group.

10. In the summaries of the thematic sessions by the Co-Chairs of the Open Working Group,[3] disability merited special attention, and existing barriers in the areas of health; human rights and discrimination; cities and urban development; and access to public services were emphasized and recognized as requiring urgent action to ensure that persons with disabilities could reach their maximum potential and achieve their full and equal participation in society. The Open Working Group also emphasized that there is an urgent need to mainstream the perspective and situation of persons with disabilities in the emerging sustainable development goals in order to achieve inclusive, just and equitable societies.

11. The high-level meeting and its outcome document decisively encouraged the inclusion of persons with disabilities in the emerging post-2015 development agenda. It further called for action in the following thematic areas: education; health care; social protection; employment and decent work; strengthening and supporting research to promote knowledge and understanding of disability and development; humanitarian programming and response, including disaster risk reduction; increasing social awareness; and women and children with disabilities. Section III includes examples of measures and progress in this regard.

III. Measures taken and progress achieved in the follow-up to the implementation of the outcome of the high-level meeting

12. In response to a note verbale dated 4 April 2014, from the Department of Economic and Social Affairs 21 Member States[4] and 10 entities of the United Nations system[5] provided information on progress made towards the realization of internationally agreed development goals, including the Millennium Development Goals, for persons with disabilities. The submissions also provided specific priorities for action towards a disability-inclusive post-2015 development agenda, and some[6] provided data and analysis from recent research on persons with disabilities.

13. Most reports indicate the persistence of a wide gap in the achievement of developmental outcomes between persons with and without disabilities, particularly

[3] See Co-Chairs summary bullet points from sessions 4, 6, 7, 8 and 9, available at http://sustainabledevelopment.un.org/owg.html.

[4] Australia, Austria, Colombia, Denmark, Finland, Greece, Indonesia, Italy, Jordan, Kenya, Mexico, Moldova, Norway, Philippines, Republic of Korea, Romania, Russian Federation, Singapore, Spain, Sweden and Switzerland.

[5] The Economic Commission for Latin America and the Caribbean, the Economic and Social Commission for Asia and the Pacific (ESCAP), the Economic and Social Commission for Western Asia, the International Labour Organization (ILO), the International Telecommunication Union (ITU), the United Nations Development Programme (UNDP), the United Nations Educational, Scientific and Cultural Organization (UNESCO), the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), the World Health Organization (WHO) and the World Trade Organization.

[6] Australia, Colombia, Jordan, Republic of Korea, Romania, Spain and Sweden.

in relation to access to employment and decent work, participation in education and access to information and communications technology. It was also commonly reported that women and girls with disabilities continue to experience higher degrees of discrimination, inequality and even violence than those without disabilities.

A. Member States

14. The following section highlights examples of efforts undertaken by Member States to mainstream disability in development processes.

1. Towards a disability-inclusive agenda

15. A number of Member States emphasized efforts to incorporate disability and inclusive development in their national and international priorities in the context of the post-2015 development agenda. Jordan recommended the inclusion of disability as a cross-cutting priority, and noted that disability should also be considered as a stand-alone goal. Sweden made explicit references to persons with disabilities in its priority goals that relate to freedom from violence and access to quality education for the post 2015-agenda. Greece and Norway recognized that special attention should be accorded to persons with disabilities and that disability is an integral and cross-cutting issue in their national position papers. Finland reiterated that special attention should be given to marginalized groups, including persons with disabilities, in the ongoing work towards a post-2015 development framework.

2. Development cooperation

16. Many donor States highlighted efforts to institutionalize strategies for disability mainstreaming within their development cooperation initiatives beyond 2015. Australia announced a new disability-inclusive development strategy for its international aid and development programme from 2014 onward. Austria released a manual that provides clear guidelines for including persons with disabilities throughout the project management cycle. Italy included disability as a priority issue in its development cooperation action plan for the period 2014-2016. Denmark reported persons with disabilities as a target group in its humanitarian action framework. Sweden included persons with disabilities as one of its five main target groups for aid. Spain incorporated a specific indicator for disability in its international development cooperation framework for monitoring future cooperation programmes. Finland increased funding for its international cooperation and development programme by €3 million for development projects that target disability.

3. Disability-inclusive national development plans and strategies

17. A number of Member States reported the inclusion of disability as a national priority in development plans, programmes and policies. Mexico issued a national development plan for the period 2014-2018 that establishes objectives, strategies and actions for the inclusion of persons with disabilities in national development efforts. Indonesia identified persons with disabilities as a priority in a draft national midterm development plan for the period 2015-2019, and also issued a national action plan on disabilities for the period 2013-2022. Colombia reported efforts to mainstream disability in key public policies, including the issuance of a national policy of disability and social inclusion for the period 2014-2022.

4. Data and statistics on disability

18. Many Member States reported efforts to strengthen the knowledge base on disabilities, implementing a range of research activities, including conducting targeted research on specific groups among persons with disabilities and integrating disability in national surveys and other data collection activities.

19. Norway reported statistics on disability for a number of indicators in public policy areas, including family issues; social inclusion and participation in education; physical accessibility; employment; access to information and communications technology; and violence. Australia initiated research on disability in countries that are the recipients of aid, including on the issue of women and disability in Cambodia, and hosted a symposium on disability research in August 2014. The Republic of Korea implemented a number of disability-specific surveys as well as general surveys, including data disaggregated by disability. Romania introduced a national study on accessibility in physical environments and on information and communications environments for persons with disabilities. Colombia disaggregated national statistics and research data by disability. Jordan partnered with the Washington Group on Disability Statistics to incorporate the Group's short set of questions in its census in 2015.

5. Laws and legislation, policies and regional frameworks

20. Several Member States reported legislative and policy measures to support national implementation of the Convention on the Rights of Persons with Disabilities. Switzerland reported its ratification of the Convention. The Russian Federation was developing new legislation at the federal level for amendments to social security acts for persons with disabilities. Colombia and Indonesia pursued legislation to advance the rights of persons with disabilities. Singapore promulgated new policies to improve accessibility to public service and to provide tax subsidies for caregivers of persons with disabilities, while Norway increased its funding for inclusive education by 15 per cent.

21. Some Member States reported their increased support to strengthen the role of organizations of persons with disabilities in decision-making processes, including policy development. Australia, Italy and Norway funded the capacity-building component in recipient countries, while the Philippines and Romania strengthened support for the capacity-building of national organizations of persons with disabilities to enable them to be included in national policymaking processes.

22. Member States also reported efforts to strengthen regional frameworks for disability-inclusive development and the advancement of the rights of persons with disabilities. In the Asia and Pacific region, the Philippines and the Republic of Korea reported on their intensified efforts to implement the Incheon Strategy[7] in national policies and programmes. The Republic of Moldova introduced minimum quality standards into its national programmes and regulations for support services for persons with disabilities, drawing on European Union policies and standards. Kenya reported efforts to implement the Nairobi Declaration: Inclusive Post-2015 Development Agenda for Persons with Disabilities in Africa and its targets for persons with disabilities.

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[7] Incheon Strategy to "Make the Right Real" for Persons with Disabilities in Asia and the Pacific, ESCAP, Bangkok, November 2012 (ST/ESCAP/2648).

6. Challenges to mainstreaming disability in development

23. Some countries reported on a number of obstacles to the implementation of inclusive development strategies and the inclusion of persons with disabilities in this regard. In particular, they noted challenges in removing barriers to education for children with disabilities, including a lack of sufficient resources and a continuing gap between policy and practice, as well as a persistent gap in income and employment between persons with and without disabilities. A number of countries addressed the challenge of economic and social barriers to services and programmes for persons with disabilities, with developing countries addressing the continuing barriers to political and civil participation of persons with disabilities.

B. Progress on the inclusion of disability in programmes of work in the context of the post-2015 development agenda by the United Nations system

24. The United Nations system has continued to innovate and to support the development and implementation of technical, regional and national initiatives to mainstream disability in global issues. A number of United Nations entities have taken steps to promote disability in the post-2015 development agenda. The Department of Economic and Social Affairs is leading the dialogue on an inclusive post-2015 framework and has organized a number of events and platforms to promote it. The Department supported the organization of a high-level meeting on disability and development and secured the participation of multiple stakeholders, particularly organizations of persons with disabilities, in the preparatory processes and the meeting itself. The Department continued to prompt multi-stakeholder dialogues through a number of consultations, forums and expert meetings, including expert group meetings in 2013 and 2014. The high-level meeting examined disability statistics, monitoring and evaluation, and discussed strategies to integrate targets and measurements for goals related to persons with disabilities in the post-2015 development framework. Together with the United Nations International Strategy for Disaster Reduction, the Department also held an event on disaster resilience and disability. The event raised awareness concerning the invisibility of persons with disabilities in disaster risk reduction and advocated for urgent action to include disability in all aspects of disaster risk-reduction policies, programmes and processes. The high-level meeting also examined both previous experience and new ideas for advancing the inclusion of disability in disaster risk-reduction policies, programmes and processes.

25. The regional commissions continued to support Member States in their efforts to implement policies and programmes to advance the rights of persons with disabilities. The Economic Commission for Latin America and the Caribbean supported Member States in creating a regional task force on disability measurement that will prepare a regional report on the status of persons with disabilities. The Economic and Social Commission for Asia and the Pacific supported the first session of the Working Group on the Asian and Pacific Decade of Persons with Disabilities 2013-2022. The Working Group recommended the strengthening of strategic alliances to promote the inclusion of disability in the post-2015 development agenda, and adopted a road map for implementation of the Incheon Strategy. The Economic and Social Commission for Western Asia (ESCWA) reported on the recent Conference on the Arab Decade for

Persons with Disability and beyond: enhancing the knowledge and policy infrastructure for the implementation of the United Nations Convention on the Rights of Persons with Disabilities in the Arab Region. The outcome document of the Conference outlines a series of steps for the realization of international and national development goals for persons with disabilities. ESCWA also supported an in-depth study of disability statistics and qualitative information on disability-related laws and institutions in the Arab region.

26. United Nations agencies reported significant progress in increasing awareness of the need for better measurement of the situation of persons with disabilities in order to support the development of evidence-based and responsive policy, programming and service delivery. In some regions, including the Asia and Pacific region, it was noted that disability prevalence data was increasingly being collected by Member States, many of which have operationalized or are beginning to incorporate international survey instruments into censuses and other national surveys, including labour force surveys. The World Health Organization (WHO) reported efforts to improve the standardization of disability data collection and has been collaborating with the World Bank to develop a model disability survey that would provide detailed and nuanced information on the "lived experiences" of persons with disabilities. It was also reported that the involvement, visibility and support of organizations of persons with disabilities has grown significantly across regions since 2010. Reports highlighted that a number of Member States have established national coordination mechanisms that are often interministerial and include or consult with persons with disabilities, to support the harmonization of domestic legislation, policies and programmes with the normative framework provided by the Convention and the adoption of new legislation, policies and programmes that are aligned with it.

27. The United Nations Partnership to Promote the Rights of Persons with Disabilities[8] carried out the first round of funding and joint projects in Costa Rica, Indonesia, Mozambique, the Republic of Moldova, South Africa, Togo, Tunisia, Ukraine, the State of Palestine and some Pacific island countries and territories in 2013. The programme will expand in 2014 to cover additional Member States and projects in Armenia, Bolivia (Plurinational State of), China, Egypt, Ethiopia, India, Mexico, the Sudan, Tajikistan and Uganda. In order to support activities that promote the full and meaningful inclusion of persons with disabilities in global and country-level debates on the post-2015 development framework, the Partnership, in collaboration with the International Disability Alliance and the International Disability and Development Consortium, produced a report in 2013 entitled "Towards an inclusive and accessible future for all: voices of persons with disabilities on the post-2015 development framework".

28. A number of United Nations agencies reported on strengthened disability inclusion in global and country-level programming. The International Labour Organization (ILO) noted successful mainstreaming of disability in country-level technical assistance frameworks. Almost half of its decent work county programmes have prioritized disability issues. ILO is currently preparing a global strategy and

[8] The membership of the United Nations Partnership to Promote the Rights of Persons with Disabilities comprises the following United Nations entities: the Department of Economic and Social Affairs, the Office of the High Commissioner for Human Rights (OHCHR), ILO, UNDP, UNESCO, the United Nations Children's Fund (UNICEF) and WHO.

action plan to promote employment and the social protection of persons with disabilities. The United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) has included women and girls with disabilities as one of the poorest and most excluded groups in its new global strategic plan covering the period 2014-2017. WHO recently developed an organization-wide disability action plan[9] in consultation with more than 300 contributors from United Nations agencies and Member States. The World Tourism Organization (UNWTO) updated its 2005 recommendations to further promote accessible tourism, in line with relevant provisions of the Convention and the principles of universal design.

29. Some agencies reported new publications and tools to promote disability-inclusive development and societies. The International Telecommunication Union recently published a report[10] on the role of accessible information and communications technology, such as web services and television as well as mobile devices and services, in enabling the inclusion of persons with disabilities. In February 2014, the United Nations Educational, Scientific and Cultural Organization (UNESCO) launched a model policy[11] to promote national efforts on information and communications technology usage in education, particularly through its Institute for Information Technologies in Education. UN-Women launched an online platform entitled "Global Knowledge Gateway for Women's Economic Empowerment" to provide accessible and up-to-date information and resources on economic empowerment for women with disabilities. UNWTO published *The Manual on Accessible Tourism for All: Public-Private Partnerships and Good Practices*, in March 2014, which features technical advice for the inclusion of both cultural and natural heritage assets into the accessible tourism value chain.

30. Most agencies continued to note persistent challenges in obtaining reliable, accurate and comparable data on persons with disabilities at the national level and in specific technical areas, posing significant barriers to the agencies' capacity to provide timely and evidence-based policy support to Member States to address the needs of persons with disabilities. The "double discrimination" and prevalence of violence and abuse against women and girls with disabilities, and their marginalization, were highlighted by many. Also noted were significant challenges posed by national legal frameworks and societal and attitudinal barriers, as well as limitations in resources and institutional capacity at the national level to ensure that development processes and services are responsive to the needs of persons with disabilities.

IV. Integrating persons with disabilities into development strategies

31. Notable progress has been made in scaling up efforts to mainstream disability as a cross-cutting development issue, but major challenges remain. Section IV discusses some common challenges as well as recommendations for action that emerged from consultations conducted by the Department of Economic and Social

[9] See WHO global action disability plan 2014-2021: Better health for all people with disability.

[10] See International Telecommunication Study Group, "Access to Telecommunication Services and Information and Communication Technologies by persons with disabilities" (Geneva, International Telecommunication Union, 2014).

[11] See UNESCO, "Model Policy for Inclusive Information and Communication Technologies in Education for Persons with Disabilities" (Paris, 2014).

Affairs in preparation for the high-level meeting.[12] The section also discusses the inclusion and empowerment of persons with disabilities not only as moral imperatives, but as essential for accelerating development progress and the achievement of internationally agreed development goals.

A. Strengthening and applying the international normative framework on disability for an inclusive society and development at all levels

32. The existing international framework[13] on disability provides a solid foundation to support the inclusion of persons with disabilities in all dimensions of development, including access to services such as education, employment, social protection and health care, as well as norms and standards on equality, accessibility and international cooperation. The deliberations to finalize the post-2015 development agenda provide a unique opportunity to achieve tangible outcomes for persons with disabilities. At the national level, existing tools may be used to support the harmonization of national legislation, policies and programmes (see A/63/183).

33. The cross-sectionalities between disability-specific instruments and other relevant human rights and development instruments should be further exploited to address the current gap in meeting even the most basic needs of persons with disabilities around the world. For example, linkages must be strengthened between the Convention and other human rights instruments, such as the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child, in order to foster synergies among the normative frameworks that deal with the particular concerns and issues facing women and children with disabilities. At the global level, these tools can be utilized to strengthen the inclusion of the disability perspective in internationally agreed development goals.

34. The synthesis of inputs from the preparatory processes indicates that countries have shared views on the common challenges to addressing the current gap between policy and practice at the national level. Several sources verified that where domestic legislation and policy frameworks on disability exist, they have not always been harmonized in light of the international normative framework on disability, particularly the Convention on the Rights of Persons with Disabilities. Others noted that supportive regulatory frameworks and institutional mechanisms, including

[12] Sources of information reviewed include: (a) the online consultation entitled "For a disability inclusive development agenda towards 2015 and beyond"; (b) regional consultations; (c) direct submission from Member States, entities of the United Nations system and civil society organizations and other individual contributions received by the Secretariat in response to the 10 questions prepared as a core document for the high-level meeting; (d) summaries from the three informal consultations on the high-level Meeting; and (e) other relevant sources, including reports of the Secretary-General and from relevant meetings of United Nations and regional organizations, that identified global and regional priority areas for inclusion in an outcome document of the high-level meeting.

[13] Refers to the three disability-specific instruments: the World Programme of Action concerning Disabled Persons, the Standard Rules on the Equalization of Opportunities for Persons with Disabilities and the Convention on the Rights of Persons with Disabilities, together with other international norms and standards relating to disability including the recently adopted outcome document of the high-level meeting (see General Assembly resolution 68/3).

monitoring and implementation processes to integrate disability issues into development policies and programmes, are severely lacking.

35. It was also observed that while several countries are either in the process of ratification or full implementation of the Convention on the Rights of Persons with Disabilities and its Optional Protocol, sustainable resources, including technical assistance and development cooperation, are required to accelerate this process. While this may be the case, Governments play the most significant role in making the best use of available resources for the realization of rights of persons with disabilities. In this regard, a twin-track approach of minimum standards to maintain human dignity and to protect persons with disabilities from poverty, within existing resources, together with the progressive realization of social, economic and cultural rights, is needed.[14] Such strategies would further need to be operationalized through measurable targets and indicators, laying out concrete actions in the short and medium terms; the identification of resources; and the assignment of responsibility to a broad range of stakeholders in order to promote ownership and accountability of actions in implementation.

B. Improving disability data and statistics to support the formulation, monitoring and evaluation of evidence-based policies for disability-inclusive development

36. With a view to integrating the disability perspective in the new development agenda, the Secretariat convened an expert group meeting on disability data and statistics in Paris from 8 to 10 July 2014. The experts assessed the measurability of disability targets and indicators, based on both current and potential data availability.[15]

37. While considerable progress has been made, significant efforts are still required to incorporate the collection of disability statistics into ongoing systems and to improve the quality and comparability of the information obtained. This need is further heightened given the data needs and reporting requirements identified in the Millennium Development Goals and the Convention on the Rights of Persons with Disabilities, as well as those being proposed for the sustainable development goals. The new development agenda is expected to significantly increase the demand for data, in terms of both scope and level of detail (disaggregation).[16]

38. The generation of internationally comparable data requires the adoption of uniform methods of data collection across all countries. Existing tools developed by the United Nations, such as the Washington Group's short set of six questions, approved by the Statistical Commission,[17] when incorporated into censuses or

[14] The concept of progressive realization is based, in part, on the United Nations Committee on Economic, Social and Cultural Rights General Comment No. 3: The Nature of States Parties' Obligations (art. 2, para. 1, of the Covenant) (E/1991/23-E/C.12/1990/8), discussed in *From Rhetoric to Action-Implementing the UN Convention on the Rights of Persons with Disabilities*, by Eilionóir Flynn (Cambridge University Press, 2011).

[15] The meeting reviewed existing tools for data collection, such as those developed by the Washington Group on Disability Statistics, and new tools, such as the model disability survey that is being developed by WHO and the World Bank.

[16] Compendium of statistical notes for the Open Working Group on Sustainable Development Goals, Statistical Division (March 2014).

[17] The approach to disability measurement advocated by the Washington Group through the short

sample-based surveys, can provide baseline information. To date, 47 countries have indicated that the Washington Group's questions has been included in previous censuses, national surveys or disability modules, while 35 countries used the short set, or some variant of it, in the most recent census cycle, in 2010. The 2020 census cycle provides another opportunity to expand the number of countries using the short set in their census, to move in the direction of producing internationally comparable statistics on disability.

39. Institutionalizing the collection of disability data using a core tool, such as the Washington Group's short set of questions, can provide a significant portion of the data needed to monitor the Convention and to disaggregate the post-2015 sustainable development goals by disability status.

40. Recognizing that no census or survey is complete until the data collected is made available to users in appropriate formats, countries should submit data in common reporting formats to the United Nations for further dissemination and to promote the use of existing disability statistics. This will require significant capacity-building efforts at the national level, particularly in developing countries, involving all stakeholders. Once again, the preparation, including training and technical assistance for the 2020 census round, is an entry point for mainstreaming disability data into official statistics.

41. While census tabulations can be used to make useful comparisons between persons with and without disabilities, extended measures, to gather detailed data on multiple aspects of disability, would enable policymakers to identify interventions needed to maximize the inclusion of disability and persons with disabilities, and subsequently, the equalization of opportunities. Contributing to this goal are current initiatives by the United Nations system, such as the development and testing, led by the United Nations Children's Fund (UNICEF), of question sets that focus on child functioning and disability and on barriers to full participation in education for use in multiple indicator cluster surveys and other surveys focused on children, and the development of a model disability survey, led by WHO (see E/CN.3/2014/10). Collaboration and coordination is required among various initiatives in the United Nations system and other stakeholders to ensure the usefulness of all data and the promotion of international comparability. This includes data collection efforts undertaken by Governments and their agencies and the United Nations system, as well as initiatives by non-governmental organizations.

C. Enhancing international cooperation and mobilization of resources on a sustainable basis

42. To date, development cooperation has largely failed to fulfil its potential to achieve the internationally agreed development goals for persons with disabilities.[18] The effective translation of the international community's commitment to disability into tangible outcomes requires the creation of an enabling environment in which

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set of questions has been recommended by the United Nations in its Principles and Recommendations for Population and Housing Censuses, Revision 2 (ST/ESA/STAT/SER.M/67/Rev.2)A third revision of this document is currently in development, and similar recommendations have been drafted by the Conference of European Statisticians, in preparation for the 2020 census round.

[18] See E/CN.5/2010/6 for an evaluation of the status of disability inclusion in international cooperation at global, regional, and subregional levels.

persons with disabilities can participate on an equal basis with others, as both agents and beneficiaries, in development processes. Recognizing this, the participating stakeholders in the preparatory processes for the high-level meeting made a number of proposals for strengthening international, regional and subregional cooperation and partnerships for disability-inclusive development.[19]

43. Several submissions received by the Secretariat call for development agencies to adopt a disability strategy that endorses a twin-track approach in which targeted programmes, such as capacity-building by disabled persons' organizations, are implemented together with mainstream programmes designed to be accessible to persons with disabilities. While many bilateral agencies have considerable experience in supporting disability-specific projects, the mainstreaming of disability within their overall frameworks on development cooperation is still a relatively new concept for many (see E/CN.5/2010/6). In mainstream development programmes, persons with disabilities are often grouped together with other marginalized groups for the purpose of measuring the social impact of development projects. However, this approach risks further marginalizing and excluding persons with disabilities, who tend to remain "invisible" within the broader and more "visible" social groups. Aggregate results, in the absence of data disaggregated by disability, may show an overall positive impact, even when conditions have worsened for persons with disabilities.

44. In a world in which development cooperation is increasingly oriented towards developing a results-based culture, in which measurable targets and indicators are crucial to evidence-based programming, the lack of reliable data and statistics on disability has been a major impediment to the inclusion of disability as a cross-cutting issue.

45. In the United Kingdom of Great Britain and Northern Ireland, the House of Commons International Development Committee recently released a report on disability and development that calls for greater attention to disability in the work of its Department for International Development.[20] The report contains a number of useful recommendations for development agencies and partners, including to provide a balance between building an evidence base on disability and implementing programming. Recognizing that accurate disability statistics may take time to develop, the report calls for the initiation of ambitious pilot disability programmes that can rapidly be scaled up, building on innovations and successes.

46. Sustainable financing represents a key challenge for setting in motion a transformative change for persons with disabilities. Harnessing available resources rests on broad political will. Introducing disability-specific budget lines in national and sectoral budgets and evaluating and publishing information on the outcomes of funds allocated to persons with disabilities will be critical for maintaining momentum towards sustainable finance.

47. Furthermore, the balanced participation of a wide range of stakeholders, particularly persons with disabilities and their representative organizations, will be vital to creating a long-lasting impact based on ownership and mutual

[19] These proposals are summarized in the draft background paper entitled "Round Table 1: International and regional cooperation and partnerships for disability inclusive development", prepared by the Secretariat for the high-level meeting.

[20] House of Commons International Development Committee, "Disability and development", Eleventh Report of Session 2013-14 (HC 947) (London, 2014).

accountability. Steps should be taken to strengthen new partnerships that can bring together many different types of organizations concerned with social, economic and environmental progress. Collaborative efforts, such as enlisting women's organizations to help monitor outcomes for persons with disabilities, would assist in tackling discrimination that affects multiple social groups. Such collaboration would also be an efficient means for ensuring resources and funds, even if not targeted specifically at persons with disabilities, since it would have a multiplier effect, benefiting them and building a more inclusive society.

D. Rethinking and adapting the United Nations system to improve responsiveness to the needs of Member States in implementing a disability-inclusive development agenda

48. Concern for and commitment to persons with disabilities are integral to the work of the United Nations. While the approach and response of the Organization to disability have evolved significantly over the past five decades, the notion that the advancement of the rights of persons with disabilities is a prerequisite for the realization of human rights, peace and security has remained central. In this context, the international community has long recognized that the inclusion of persons with disabilities is fundamental to all aspects of the work of the United Nations.

49. Key intergovernmental mechanisms concerned with disability currently include the Social, Humanitarian and Cultural Committee (Third Committee) of the General Assembly, the Economic and Social Council and the Conference of States Parties to the Convention on the Rights of Persons with Disabilities. Since its inception, the Conference has established itself as a unique global platform for advancing the rights of persons with disabilities. The seventh session, held in 2014, enjoyed a record level of participation, with more than 1,300 persons in attendance, including representation from more than 80 Member States. Given the high level of participation, Member States are increasingly using the Conference as a decision-making forum and platform to explore options for multi-stakeholder partnerships to promote disability-inclusive programming.

50. The Convention on the Rights of Persons with Disabilities is the most recent international instrument to provide a normative framework for addressing disability in society and development. The Convention has guided discourse at the international level and focused attention on disability as a cross-cutting issue. As noted earlier in the present report, disability is increasingly being accepted as a cross-cutting issue in international development agendas. International dialogue around the Millennium Development Goals and post-2015 development agenda recognizes the importance and cross-cutting nature of disability in the pursuit of global development goals. This international paradigm is also reflected in the current approach of the United Nations system (see resolution 68/3).

51. Significant progress has been made by the United Nations system in using this international normative framework to innovate and to mainstream disability in its work. However, concerns remain that disability is not fully reflected in the entirety of the work of the United Nations, with the concept of disability mainstreaming inconsistently understood and applied, resulting in uneven outcomes and a gap between policy and practice. These challenges are not dissimilar to those previously faced by gender-mainstreaming efforts. Recent successes of gender mainstreaming

suggest that there is scope to strengthen the United Nations system with regard to disability in order to ensure greater inclusiveness in the work of the Organization and improve responsiveness to the needs of Member States. A review of the implementation of mainstreaming strategies at the global, regional and country level could provide a starting point for understanding existing limitations in mechanisms, processes and capacity, and could highlight entry points to strengthening the responsiveness of the support of the United Nations system and its partners to Member States in this field.

52. The high-level meeting requested recommendations for concrete steps to support the implementation of the outcome document (resolution 68/3, para. 8). In 2015, the Assembly will review progress to date. It could use that opportunity to formulate priorities in conjunction with the post-2015 development framework, with a view to adopting a global plan of action on disability as a cross-cutting issue for a future global agenda, covering development, human rights and peace and security, as was envisaged in the World Programme of Action concerning Disabled Persons (1982) and endorsed by the outcome document of the high-level meeting. To this end, the plan could articulate clear targets and indicators, and identify key areas in which further technical assistance and capacity development is required for the operationalization of normative frameworks.

53. A focus on disability, in terms of developmental and societal outcomes within the framework of the current and emerging international development agendas, calls for improved normative and operational linkages. Significant demands on the United Nations system are anticipated, in terms of resources and technical assistance to support Member States in ensuring that future efforts to achieve development goals are disability-inclusive. In this context, a system-wide review of new mechanisms to reinforce and promote organizational policy and practice, including coordination, knowledge-sharing and internal capacity-building, as well as closing the communication gap at the national, regional and global levels, could be considered.

54. Lessons from gender mainstreaming have shown the strength of placing responsibility and leadership at the highest levels when adopting system-wide policies on mainstreaming. Such policies, involving system-wide objectives, indicators, and accountability and reporting frameworks, could be explored to advance overall support to the achievement of inclusive goals.

55. The high-level meeting also called upon the Economic and Social Council to promote the issue of disability and development, including within the framework of United Nations operational activities, to ensure coordination, effective implementation and synergies among programmes (see resolution 68/3, para. 6). In this context, the Council could consider playing a specific role in promoting an integrated approach to disability in the work of the United Nations system as a whole.

56. New and recent changes to the Economic and Social Council, including the high-level political forum on sustainable development, as well as the increased importance of the Development Cooperation Forum, also present opportunities to advance the mainstreaming of disability. A periodic global report on disability and development, based on the existing biannual and quinquennial reporting to the Assembly, may be considered to benchmark and track global progress in the equalization of opportunities for persons with disabilities in society and development.

V. Conclusions and recommendations

57. The high-level meeting brought momentum and global attention to the advancement of persons with disabilities as agents and beneficiaries in society and development. The outcome document called for stronger more ambitious actions by all stakeholders, in particular at the national level, and at the same time established a vision and a clear mandate for all stakeholders to develop strategic and tangible steps to operationalize the global agenda for disability-inclusive development. The outcome document also requested the General Assembly, in 2015, to review progress towards its implementation (resolution 68/3, para. 10).

58. The present report has reviewed the recent developments in the ongoing intergovernmental process and assessed the opportunities it presents for the inclusion of disability in the emerging global development framework. In this context, the role of the United Nations in promoting better coordination and more cooperative methods for disability-inclusive development has been discussed.

59. While considerable efforts have been made, the achievement of mainstreaming disability remains a global challenge. Despite advances in the development of global policy on disability, further efforts are needed to strengthen normative and operational linkages at all levels. The present report has also explored the role of development cooperation and the ways in which development agencies can further support the implementation of disability-inclusive development in order to bridge current gaps.

60. In pursuing the achievement of the internationally agreed development goals for persons with disabilities, the international community should take all possible measures to close the existing gap between policy and practice. A concerted effort to secure the delivery of policy commitments and to operationalize the mainstreaming of disability in all aspects of development, particularly development programming processes, is desirable. Two tracks should be urgently pursued to accomplish this goal: (a) the collection of disability data and statistics, in accordance with the decision of the Statistical Commission to provide standardized data collection methods in order to facilitate comparability across countries; and (b) disaggregation of all available data by disability (see E/CN.3/2014/35-E/2014/24, chap. I. B). It is possible to generate disability-inclusive development statistics in order to monitor internationally agreed development goals. Data could be collected by Member States through their population and housing census programmes, as recommended by the Statistical Commission.

61. Member States should ensure that the post-2015 development agenda is underpinned by an inclusive approach, guided by the Convention on the Rights of Persons with Disabilities as well as other relevant human rights and development instruments, that builds on the core principles of equality, non-discrimination, participation, inclusion and accountability. The selection process and the content of the post-2015 targets and indicators for tracking progress must be inclusive of all social groups, including persons with disabilities.

62. The General Assembly may also wish to consider the following specific actions towards 2015 and beyond:

(a) Organize, in the light of its request that the President of the Assembly review, at its seventieth session, the status of and progress made towards the

realization of the development goals for persons with disabilities, an event for such a review to be held in conjunction with the seventieth session of the Assembly (see resolution 68/3, para. 10). The review could consider progress made and bring clarity to next steps to advance the implementation, monitoring and evaluation of the outcome of the high-level meeting;

(b) Encourage Member States to promote the realization of the rights and well-being of persons with disabilities in all economic, social, cultural and environmental spheres, through adoption of a national disability strategy, including a comprehensive long-term vision for improving the situation of persons with disabilities. In order to promote ownership of and accountability for actions in implementation, such strategies should be operationalized through measurable targets and indicators that lay out concrete actions in the short and medium terms, and the assignment of responsibility to a broad range of stakeholders;

(c) In the light of the need for disaggregated data to support the establishment of a disability-inclusive post-2015 development agenda, encourage Member States to take immediate steps to support the goal of mainstreaming disability data into official statistics and to submit the information to the United Nations. The Assembly may also wish to further consider a periodic global report on disability and development that summarizes disability statistics provided by Member States and provides analysis on the situation of persons with disabilities in economic and social development;

(d) Encourage all Member States to consider taking measures to build or improve the social protection system, including the social protection floor for persons with disabilities. To this end, the international community should support national efforts, including social protection programmes for persons with disabilities;

(e) Encourage Member States, the United Nations system and other stakeholders[21] to further improve coordination among existing international processes and mechanisms on disability in order to advance a disability-inclusive global agenda;

(f) Call for a systematic review to evaluate and monitor progress in the current mainstreaming efforts by various stakeholders, Member States, the United Nations system, civil society and academic institutions. Establish a coordinating mechanism within the United Nations system to address gaps and effectively respond to needs for technical assistance, including for capacity-building, particularly in the context of a post-2015 development agenda and the implementation of future global development goals.

[21] These currently include the General Assembly, the Economic and Social Council, the Commission for Social Development and the Conference of States Parties to the Convention on the Rights of Persons with Disabilities.